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REPORT

ON

THE ADMINISTRATION OF CRIMINAL JUSTICE IN OUDH

During the year ending 31st December 1892.

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Report on the Administration of Criminal Justice in Oudh during the year ending with 31st December 1892.

No. 1414.

FROM

M. S. HOWELL, ESQ., LL.D., C.I.E., C.S.,
JUDICIAL COMMISSIONER OF OUDH,

To

THE SECRETARY TO GOVERNMENT,
N.-W. PROVINCES AND OUDH, JUDICIAL (CRIMINAL) DEPT.

Dated Lucknow, the 24th August 1893.

SIR,

I HAVE the honor to submit the report on the Administration of Criminal Justice for the year 1892, with the prescribed returns, and to forward the reports of the Sessions Judges and Deputy Commissioners in original.

2. The district reports were received from the Sessions Judges on the following dates :—

Lucknow	30th March 1893.
Sitapur	6th March 1893.
Hardoi	20th February 1893.
Fyzabad	13th March 1893.
Gonda	6th March 1893.
Rae Bareli	17th March 1893.

The district statements were received on dates ranging from 2nd February 1893 to 30th March 1893, and the Sessions Judges' returns were received between 20th February and 30th March 1893.

3. There were 205 criminal tribunals in Oudh, inclusive of 15 benches of Honorary Magistrates, on the last day of December 1892, as compared with 191 criminal tribunals in the preceding year The alterations in the personnel were as follows :—

Imperial Return No. I. Number of tribunals.

	1891.	1892.
Assistant Commissioners	11	17
Deputy Magistrates	47	58
Honorary Magistrates	52	49
Total ...	110	124

The criminal tribunals were composed of the following classes of officers :—

Europeans and Statutory Civilians	Covenanted officers	26
	Military officers	11
	Uncovenanted officers	10
Natives		215

4. The number of "offences reported" during the year under report was 49,108 against 51,640 in the preceding year, a decrease of 2,532 offences, about 5 per cent. This decrease was most marked in the Bahraich district. There was also a considerable decrease in the districts of Bara Banki, Sitapur, Fyzabad, Rae Bareli and Gonda, while the districts of Kheri, Partábgarh, and Sultanpur showed a considerable proportional increase.

Imperial Return No. II. Offences reported.

5. The following table shows the number of offences reported in each district :—

	1891.	1892.	*Difference.*
Bahraich	4,235	3,428	—807
Bara Banki	4,419	3,784	—635
Sitapur	3,756	3,374	—382
Fyzabad	5,558	5,251	—307
Rae Bareli	4,393	4,200	—193
Gonda	4,265	4,085	—180
Lucknow city	4 175	4,066	—109
Lucknow district	2,389	2,354	—35
Kheri	3,503	2,877	+626
Partábgarh	3,652	4,092	+440
Hardoi	4,554	4,752	+198
Sultanpur	3,596	3,788	+192
Unao	3,145	3,057	+88

The decrease was most marked in minor offences against property, and offences under special and local laws. Under the headings, "Theft," "Receiving stolen property," and "Criminal trespass" offences reported diminished by 3,213, and those under special and local laws by 620; while the number of cases of "Assault or Criminal force" and "Hurt," increased by 1,700. The following table shows that the decrease under the headings "Theft," "Receiving stolen property, and Criminal trespass" was universal, ranging from 600 in Bahraich to 41 in Lucknow city; and that the increase under the headings "Assault" "Criminal force" and "Hurt," extended to ten districts, ranging from 408 in Hardoi to 84 in Sitapur.

District.	Number of Offences.							
	Theft, Receiving stolen property, Criminal trespass.				Assault, Criminal force, Hurt			
	1891.	1892.	Increase.	Decrease	1891.	1892.	Increase	Decrease.
Lucknow City ...	489	448	...	41	817	989	172	...
Lucknow ...	506	425	...	81	786	883	97	...
Bara Banki ...	1,337	878	...	459	907	1,006	99	...
Sitapur ...	945	606	...	339	1 091	1,175	84	...
Kheri ..	984	656	...	328	1,234	1,062	...	172
Hardoi ...	1,269	1,099	...	170	1,424	1,832	408	...
Unao ...	986	679	...	307	854	1,012	158	...
Fyzabad ...	1,103	862	...	241	1,156	1,318	162	...
Bahraich ...	1,613	1,013	...	600	993	992	...	1
Gonda ...	876	750	...	126	1,105	1,048	...	57
Rae Bareli ...	1,185	996	...	189	1,272	1,441	169	...
Sultanpur ...	793	523	...	270	1,166	1,396	230	...
Partabgarh ...	868	806	...	62	1,179	1,530	351	...
Total ...	12,954	9,741	...	3,213	13,984	15,684	1,930	230
Nett increase or decrease.	...	...	...	3,213	...	...	1,700	..

The variations in the number of offences reported under other headings are not remarkable.

Lucknow City being taken as a district, eight districts show a decrease in the number of offences reported; Bahraich leading with a decrease of 807, and Bara Banki coming next with a decrease of 635. Five districts show an increase in the number of offences reported during the year under report, as compared with the figures for 1891; Kheri heading the list with an increase of 626 and Partabgarh coming next with an increase of 440.

6. In dealing with the causes of increase and decrease, the Deputy Commissioner of Bahraich remarks:—"I may add that minor offences against the human body, such "as hurt and assault, ought to diminish along with thieving under conditions of prosperity; "and that such is not the case now must be ascribed to the readiness with which com- "plaints were admitted. Supply the material wants, and you remove the inducement to "steal, but you only in a limited degree soften the asperity of human nature. 'Men delight "to bark and bite,' says Watts, 'for 'tis their nature to.' Perhaps the Poet referred to

"dogs, the paraphrase is equally applicable." Dr. Watts' lines so strangely misquoted by the Deputy Commissioner, were, if my memory serves me right,

"Let dogs delight to bark and bite,
"For 'tis their nature to:
"Let bears and lions growl and fight,
"For God hath made them so."

The Deputy Commissioner continues:—

"The decrease is principally under minor offences against property and may be due "to the removal of that privation which abnormally increased the number of offences "in the preceding year.

"Epidemic cholera, which probably attacks most severely the criminal class as the "most destitute and therefore least able to resist the disease, may have contributed to "the decrease, but I would rather adopt the happier view and assign the improvement "to a prosperous year."

The Deputy Commissioner of Bara Banki writes:—"The year 1892 as compared with "its two predecessors, was a highly prosperous one agriculturally, the needier classes were "thus less driven from want to commit petty thefts. On the other hand cholera raged "nearly over half the district and claimed 13,821 victims; it frightened away the cri- "minal classes from the infected villages, and thus greatly restricted the area of depreda- "tion. There was an immunity from cattle disease which removed all temptation from "the path of the unscrupulous afflicted owner to recoup his loss by annexing his neigh- "bour's property, cattle or other. Lastly, the moral lesson of the past few years' heavy "and numerous punishments in this district has had its effect on the lawless section of "the community, &c."

The Deputy Commissioner of Kheri says:—"The decrease is principally under "offences against property, theft, mischief, and criminal trespass. I attribute this to the "number of cases that were dismissed discouraging others of a like nature from being "brought."

The Deputy Commissioner of Partábgarh thus accounts for the increase in the number of offences reported in his district:—

"The special efforts made during the year to enforce the observance of sanitary "rules in the Municipal and Act XX towns and the continuation of the raid undertaken "during the year 1891 against Opium smuggling and the distillation of illicit liquor "account for a large portion (over 40 per cent.) of the increase in the number of offences "reported. Petty cases of assault and simple hurt have also been more numerous than "during the preceding year. In other respects, *i.e.*, disregarding the increase in the "above classes, there has been a decrease in the figures of the year under report as com- "pared with those of the previous year. This was only to be expected in petty theft "and burglary (the figures for which are generally so prominent in swelling the returns) "as the year was a more prosperous one than its predecessor. That this prosperity might "have also occasioned the increase in the reported number of petty offences against the "person is not unlikely. It is not in the times of scarcity that people pay for bringing "their squabbles to notice which, with this class of offence, is, as a matter of fact, all that "is generally done, as these cases almost invariably end in compromise or in a discharge "for non-appearance."

7. Compared with the previous year, the figures for 1892 show that while fewer offences were struck off "by order of the Magistrate," more complaints were dismissed under section 203, Criminal Procedure Code. The figures are as follow:—

Offences struck off or complaints dismissed under section 203, Criminal Procedure Code.

Year.	Struck off.	Dismissed.	Total.
1891	3,515	10,655	14,170
1892	2,356	11,421	13,777
Variation ...	—1,159	+766	—393

the nett result being that the total number struck off and dismissed decreased by 393, about 30 in each district, a variation too small for explanation.

More than 28 per cent. of offences reported were disposed of in the year under report, against 27 per cent. in the previous year. The principal headings under which complaints were struck off or dismissed are :—

	Reported	Struck off or dismissed	Percentages.	
			1891.	1892.
Extortion	178	133	75	77
Cheating	365	236	62	65
Kidnapping	166	102	61	62
Defamation	439	267	61	60
Wrongful confinement	180	106	63	59
Criminal intimidation	292	164	49	56
Wrongful restraint	153	85	...	55
Robbery and Dakaiti	248	130	47	52
Mischief	1,833	833	44	45
Criminal force or assault	3,368	1,393	35	41
Offences relating to marriage	1,510	632	42	40
Criminal breach of trust	321	130	41	40
Hurt	12,296	4,164	35	34
Offences against public tranquillity...	556	179	34	32
Criminal trespass	4,610	1,392	30	30
Theft	6,399	1,588	25	24
False evidence	455	76	16	16
Offences under special and local laws	9,346	601	12	7

As compared with the percentages of offences struck off or dismissed in 1891, the following headings show an increase, *viz.*, "Criminal intimidation" (+7), "Criminal force" (+6), "Robbery" (+5), "Cheating" (+3), "Extortion" (+2), "Kidnapping and "Mischief" (+1). On the other hand, the headings showing a decrease in the percentage are "Offences against special and local laws" (—5), "Criminal breach of trust" and "Wrongful Confinement" (—4) "Offences relating to marriage" and "Offences against public tranquillity" (—2) "Defamation," "Hurt" "Theft" (—1). The percentage was the same in both years under "Criminal trespass" and "False evidence."

Cases struck off.

8. The percentage of cases struck off to offences reported in the two years, 1891 and 1892, are 6·8 and 4·8, respectively.

Complaints dismissed.

The percentage of complaints dismissed to offences reported was 23 against 20 in 1891.

Nine districts show an increase, the most noticeable being Kheri, 269; and Hardoi, 239. On the other hand a decrease occurred in Bahraich, 402; Fyzabad, 148; Gonda, 45; and Rai Bareli, 30. During the year under report the percentages of complaint dismissed are:—Kheri, 36; Sultanpur, 28; Unao, 27; Gonda, 27; Bara Banki, 26; Sitapur, 26; Partabgarh, 23; Fyzabad, 22; Lucknow, 20; Rae Bareli, 20; Hardoi, 19; Lucknow city, 14; Bahraich, 14.

9. The Sessions Judge of Fyzabad remarks as follows :—

"The continued decrease in cases dismissed under section 203 is, I consider, matter "for regret, especially as it goes hand in hand with a lower percentage of convictions. "This to a very great extent negatives the suggested explanation that it is due to "greater care in bringing cases into court. The Magistrate offers another suggestion "that the decrease is due to the action of the Appellate Court. I presume he is referring to the action of the Sessions Court. I have taken the trouble to examine the "files in cases where further inquiry in cases dismissed under section 203 was ordered, "and find that in only three cases was further inquiry ordered by the Sessions Court.

"The secret is, I think, to be found in the circumstance that the criminal work "is almost entirely in the hands of Native Magistrates, who are not sufficiently firm or "careful in throwing out cases under 203. Further, the European Magistrates have "been as a rule of very short service, and have not the same eye to groundless com"plaints that officers of wider experience acquire.

" I may add that I find that the Magistrate in May last allowed Tahsíldárs to " take petitions in criminal cases. This must diminish the dismissals under 203, because " Magistrates of the third class have no power to make a preliminary inquiry under " section 202, and thus are bound to issue process without such preliminary inquiry. I " think this innovation is to be deplored as it must only provoke more complaints which " cannot be properly dealt with under the law by 3rd class Magistrates. I regard the " judicious dismissal of complaints under section 203 as the most important part of a " Magistrate's duties, and consider, that, so far as is possible, the people should be " protected from the harassing action of the Criminal Courts." The European Magistrates referred to by the Judge seem to have been :—

Name.	Length of service.	
	Years.	Months.
Mr. D L Johnstone	1	7
„ P Wyndham	3	6
„ B. Lindsay	3	7
„ W Moreland	3	7

And three out of the four must have had sufficient experience to enable them to detect ordinary cases of groundless complaint.

The Deputy Commissioner of Bara Banki writes :—" As usual the greatest " number of cases struck off fell under Hurt, Theft, Criminal trespass, Mischief, " Extortion and Offences relating to marriage. It is remarkable what a number of " false charges of such an offence as theft continue to be made. Besides such cases " as those, for example, of a babul tree for which two co-sharers contend and the " worsted party runs off to the police and says his wood has been cut and carried off " by way of theft, it is much too common to try and wreak private vengeance by laying " charges of theft to the police. The fact is by no means peculiar to this district, it is " general in my experience. The law as it stands makes the Magistrate nearly powerless " to bring down a heavy hand on the unscrupulous culprits. District Magistrates and " Superintendents of Police equally chafe under the practical impotence to which they " are reduced, but until procedure for punishment is simplified nothing effectual can be " done. If I mistake not, the law of the matter as expounded by judicial rulings is in " the following position.

" The police for obvious reasons prefer to ask the Magistrate's permission to prose- " cute such false and malicious complaints under the simpler provisions of section 182, " Penal Code. That section, however, does not apply to the case of a person laying a " false charge before a police officer. Section 211 is the proper section. But even under " this section there are impediments in the way. It is not enough that the police have " already had their labour for nothing, have threshed out the facts and have proved the " charge to be spiteful and false. The Magistrate, too, must have the case before him, " inquire into it, and pass some orders upon it before he can proceed to take up the offence " of false charge. Any practical police officer will see at once that to insist upon such a " preliminary requirement is tantamount to telling him to grin and bear it, to leave the " matter alone. For in the first place, it is the duty of a police officer to send up a " charge sheet refused (B) if after inquiry he should deem a charge to be unproved ; and " in the next, it is anticipating too much from human nature to expect the weary and " overworked Magistrate to call up the empty case himself, and go through a kind of full " dress rehearsal of a superfluous trial for the sole object of paving the way for the justly " indignant police to run in the lying complainant and get satisfaction for wasted time. " I may be referred to section 560, Criminal Procedure Code, but the provisions thereof " are not sufficiently drastic to meet the class of false charges to police that I am com- " menting on and even there the case must first come before a Magistrate."

The Sessions Judge remarks on above as follows :—

"Mr. Justice Brodhurst sitting alone (Indian Law Reports, 8, Allahabad, 38), "expressed a view of the law which gives rise to the difficulties spoken of by the Deputy "Commissioner. The ruling was based on Indian Law Reports, 6 Calcutta, 496. But "two Justices of the Madras High Court (Indian Law Reports, 7, Madras, 292), "referring to and in spite of Indian Law Reports, 6, Calcutta, 496, arrived at a different "view from that taken by Mr. Justice Brodhurst. Possibly the Judicial Commissioner "agrees with the Madras High Court."

The Deputy Commissioner of Bahraich writes :— "There is a decrease under "section 203 of over 16 per cent. as compared with the preceding year. Hitherto "it was feared that Magistrates applied this section too freely, exhibiting undue "haste in dismissing complaints. A large number of these cases were periodically "scrutinized and disclosed the exercise generally of a wise discretion. But it "would appear as if instead of observing the 'happy mean' Magistrates had gone to "the other extreme and entertained numerous complaints which should have been dis-"missed under section 203. Thus under 'Offences affecting the human body' only 300 "persons were convicted out of 1,932 brought to trial. This certainly indicates an unne-"cessary and avoidable harassment of the people, &c."

"On the above the Sessions Judge, Mr. Butts, remarks :—"Acquittals, however, "include compounded cases and cases struck off in default. So far as my experience "goes, these are very numerous."

Mr. Brownrigg, the Officiating Deputy Commissioner of Sultánpur, writes :— "The idiosyncracies of a petition-writer or wiles of a vakíl are often responsible "for fictitious charges of robbery : 86 per cent. of such applications were thus disposed "of in 1892.

"Charges of cheating are frequently referable to the Civil Court, no redress through "the medium of a criminal prosecution being possible. Hence, the summary rejection of "61 per cent. of such applications in the year under report."

Mr. Sanders, the Deputy Commissioner of Partábgarh, remarks : — "The number "of complaints dismissed under section 203, Criminal Procedure Code, has not risen in "proportion to the number of offences reported. The percentage of dismissals under "'Hurt' and 'Assault' are 37·43 and 31·56 for the past and present years respectively. "One reason for this is the partial discontinuance of the old device of requiring a com-"plainant to adduce corroborative evidence in the shape of two witnesses before the issue "of process. This procedure on the part of Tahsíldárs was in all cases illegal, and as "first class Magistrates almost invariably failed to record their reasons for distrusting "the truth of a complaint, their adoption of it too was irregular. Its effect was to deter "complainants from prosecuting their cases to the end.

"As a general rule complaints have been carefully scrutinized when presented ; evi-"dence of this is to be found in the fact that as compared with the year 1891 a fewer num-"ber of persons were brought to the courts on frivolous or vexatious charges. Although "it is not often possible to decide on an *ex parte* statement as to the truth or otherwise "of a charge, it can generally be determined whether the names of outsiders have been "needlessly dragged in. What Subordinate Magistrates are chiefly lacking in, is the cour-"age to act summarily. They like to give a complainant some sort of compensation "for his expenditure of eight annas ; they seem to aim at satisfying him that there is no "substance in his charge."

My colleague and I think that the Sessions Judge of Fyzabad does not exaggerate the importance of the judicious dismissal of complaints under section 203, Criminal Procedure Code. But dismissals should be judicious not capricious ; and, to ensure this, care should be taken to record, with sufficient fulness, the reasons that lead the Magistrate to distrust the truth of a complaint, and make, or direct, a previous inquiry or investigation for the purpose of ascertaining its truth or falsehood (section 202, Criminal Procedure Code), or to arrive at the conclusion that there is no sufficient ground for proceeding (section 203).

The observations of the Deputy Commissioner of Bara Banki apparently refer to criminal proceedings instituted, not by complaint to a Magistrate, but by information to the police; and my colleague and I are of opinion that the difficulties mentioned by the Deputy Commissioner as hindering "the justly indignant police" from prosecuting a person who has set them in motion by a false information are considerably lessened by the recent ruling of the Allahabad High Court in *Queen Empress* versus *Raghu Tiwari* (13 Weekly Notes, 111), in which, as at present advised, we are disposed to concur.

Number of cases in which compensation was awarded.

10. The number of persons to whom compensation was awarded under section 560, Criminal Procedure Code, rose from 388 in 1891 to 568 in the year under report. The provisions of the law have been more freely enforced in 1892 by Magistrates in all the districts of the Province except two, *viz.*, Lucknow City and Kheri, where there has been a slight falling off in the number of persons dealt with under this section. Partábgarh with 122 persons dealt with under this section, Fyzabad with 94, Sultánpur with 75, and Hardoi with 44 show best.

The Deputy Commissioner of Bara Banki writes :—"There is no doubt the new "section 560 is still far from being boldly and freely wielded by Subordinate Magis- "trates against complainants bringing frivolous and vexatious accusations.* *"

The Deputy Commissioner of Hardoi writes :—"Frivolous complaints under sec- "tions 323 and 352, Indian Penal Code, are far too common in this district and "should be put a stop to, if possible. Under the more important sections great care "must, however, be taken lest the report of crime be discouraged by a too free use of "this section in cases where the complainant has failed to prove his case."

The Sessions Judge of Fyzabad remarks on the Fyzabad report :—"There has "been a substantial increase in the action taken under section 560.

"But this is not, in my opinion, matter for congratulation. If greater care were "exhibited in dismissing complaints under 203 there would be less to be done under 560. "I regard the section as a most pernicious one, or a useless one. It does not apply to "false complaints. The vexatious and frivolous complaint is rarely met with. It is the "false complaint or grossly exaggerated complaint which is the rank weed of criminal "administration. I maintain that the only true remedy for this is the firm rejection of "obviously false and groundless complaints and the careful inquiry into all complaints "before issue of process."

The Deputy Commissioner of Bahraich remarks :—"Considering the large number "of persons discharged and acquitted who, at least as regards many of them presumably "were falsely or without adequate reason accused, it is lamentable how this provision of "the law has been neglected. Requiring sound judgment in its application, there is no "doubt that it affords a useful means of checking frivolous or vexatious complaints, besides "fulfilling its now legitimate purpose. At the same time, as I have often observed, the "law can be easily abused and should be sparingly exercised. It makes one shiver to "think of a victim having to pay for being assaulted. Insult added to injury with a "vengeance."

The Sessions Judge, Mr. Butts, notes on above :—

"I rather agree with the Deputy Commissioner. It must be disappointing to find "yourself first beaten and then fined. Complaints of this kind are probably real, though "trifling. When a man means a false charge he usually makes a big thing of it. To "fine a complainant is likely to make him to take the law into his own hands from "which we always try to dissuade him. I am not sure that the Magistrates are not "discreet in making unfrequent use of this section."

Mr. Spankie and I think that, as a rule, a Magistrate of sense and experience ought to be able to detect the frivolous or vexatious character of a complaint or information. A large increase in the number of cases in which compensation was awarded under section 560, Criminal Procedure Code, would, therefore, indicate that Magistrates had neglected to inquire into the complaint or information with sufficient care before issuing process. We agree, therefore, with the Sessions Judge of Fyzabad, that such an increase would not be a "matter for congratulation." At present, however, the returns show that, out of 37,111 persons discharged and acquitted, only 568 have been awarded compensation under the section, the remaining 36,543 persons being sent away without any amends for the trouble, cost, anxiety, and disgrace of a criminal prosecution, apparently because Magistrates thought that the accusations against them either were false, not merely frivolous or vexatious, or were not made without reasonable and probable cause.

Cases brought to trial.

11. During the year under report 35,367 cases were brought to trial, being 1,439 less than in the preceding year when the figures were 37,491. The variations in the district figures are shown in the following table :—

	1891.	1892.	Difference.
Kheri	2,765	1,781	−984
Sitapur	2,903	2,439	−464
Lucknow City	3,588	3,176	−412
Bara Banki	3,103	2,692	−411
Fyzabad	4,121	3,934	−187
Gonda	3,001	2,879	−122
Lucknow	1,768	1,696	−72
Rae Bareli	2,909	2,855	−54
Unao	2,112	2,081	−31
Partábgarh	2,555	2,983	+428
Hardoi	3,184	3,443	+259
Bahraich	2,479	2,493	+14
Sultánpur	2,572	2,583	+11
Courts of Session	431	332	−99

The decrease shown against the first eight districts occurs chiefly under the headings "Offences against public justice," "Theft," "Mischief," "Criminal trespass," and "Offences against special and local laws." The increase in the number of cases brought to trial during 1892 in the other districts is due to a larger number of offences having been reported under the heading "Hurt" than in the preceding year.

Persons brought to trial.

12. While there was a decrease in the number of cases brought to trial, the number of persons actually brought to trial rose from 66,561 in 1891 to 67,002 in the year under report, being an increase of 441 persons. This increase is perhaps the result of the increase in minor offences affecting the human body, and decrease in minor offences against property, because the average number of persons tried in each of the former descriptions was 2·3 and in each case of the latter description 1·3.

The disposal of persons under trial is shown below :—

	1891.		1892.	
	Number.	Percentage.	Number.	Percentage.
Acquitted or discharged	34,569	51·93	37,111	55 38
Convicted	31,693	47·61	29,588	44 16
Died, escaped, &c.	299	·43	303	·45
Total	66,561		67,002	

Thus it will be seen that the percentage of convictions obtained during the year is nearly 4 per cent. lower than in the preceding year.

The number of persons acquitted or discharged was 2,542 more than in 1891.

13. The general results for the years 1891 and 1892 are as follow :—

General results.

	1891.	1892.
Cases reported	51,640	49,108
„ struck off and dismissed	14,170	13,777
„ returned as true	37,470	35,331
Percentage returned as true	72·58	71·95
Persons under trial	66,561	67,002
„ convicted	31,093	29,588
Percentage of convictions	47 61	44·16

Certain special details.

There has been a noticeable increase in convictions under "Offences against the public tranquillity," "False evidence," "Robbery," "Criminal breach of trust," "Wrongful restraint," "Criminal force :" while the headings "Extortion," Defamation," "Kidnapping," "Criminal trespass," "Contempt of the lawful authority of public servants," "Offences affecting the public health," "Theft," "Mischief," "Hurt" show a considerable decrease in convictions.

The percentage of convictions obtained under "Cheating" and "Offences relating to marriage" is the same as in 1891.

14. The falling off in the percentage of convictions is thus accounted for by the Deputy Commissioner of Fyzabad. "In cases of offences against the human "body prosecution was less successful than in 1891 and also in the more important "class (*sic*) of offences against property. In the latter case the decrease is due to the "decrease in the number of petty thefts, for convictions are more easily obtained in such "cases. In the former case the decrease is principally due to the increased number "of hurt cases, for this is a class of cases in which the complainant is himself fre-"quently unwilling to press the case to conviction."

The Deputy Commissioner of Gonda says :—"The paucity of convictions in hurt "cases bears out what I have said above in paragraph 3, that more cases might have "been dismissed under section 203, Criminal Procedure Code."

The Sessions Judge, Mr. Butts, remarks on the above :—"A great deal of this, "however, is probably due to amicable settlements out of Court. A complainant's wrath "evaporates with a petition. He fails to attend or compounds."

The Deputy Commissioner of Partábgarh observes :—"The fall in the conviction—"percentage of offences affecting the human body, is not, I am of opinion, attribut-"able to the fact that a comparatively larger number of cases of this class had been "wrongly admitted than during the year 1891, but points rather to an amicable settle-"ment out of Court."

Rioting.

15. The percentage of convictions under the heading "Rioting" was exactly the same as in the preceding year, namely, 58. The highest percentages obtained were in Lucknow City (86) ; Lucknow (77); Hardoi (75) ; Fyzabad and Rae Bareli (66 each) ; Bara Banki and Kheri (65 each).

Affray.

In the year under report 77 per cent. of persons tried for affray were convicted as against 72 per cent. in the previous year. Convictions were obtained against every person so charged in Sitapur, Bahraich and Sultánpur. Very high percentages of convictions were obtained, in Gonda, 88 ; Fyzabad, 76 ; Lucknow City, 83 ; Lucknow, 74 ; Kheri, 73 ; and Hardoi, 66.

False evidence and offences against public justice.

During 1892, 61 per cent. of the persons tried for offences under this head were convicted as against 53 per cent. in the previous year, the number of convictions being 302 and 323 in the two years, respectively. In Bara Banki the percentage of convictions rose from 45 to 56, in Hardoi from 44 to 57, while in Gonda it fell from 40 to 29.

In the year under report 64 per cent. of persons tried for offences under this head were convicted as compared with 62 per cent. in the previous year. Convictions were obtained against all the persons charged with offences under this head in Lucknow, Sitapur and Hardoi. In Kheri one person charged with an offence under this head was acquitted. High percentages of convictions were obtained in Bahraich, Gonda (69 per cent. each); Fyzabad (68); Rae Bareli (66); Bara Banki (61); and Lucknow City (57).

Offences relating to coin and Government Stamps.

In 1892 the number of persons tried for attempted suicide was 400 as against 354 in 1891. The percentage of convictions obtained in the former year was 75 as against 79 in the latter.

Attempted suicide.

The number of offences reported under this heading rose from 10,850 in 1891 to 12,296, an increase of 13 per cent; and those struck off and dismissed also rose from 3,870 to 4,164, an increase of only 7 per cent. The subjoined table shows the variations in the figures for the past two years:—

Hurt.

	Offences reported	Struck off or dismissed.	Persons tried.	Acquitted.
1891	10,850	3,870	15,314	9,626
1892	12,296	4,164	18,666	11,391

It will be seen that the number of persons tried during 1892 increased by 3,352, or 21 per cent.; and the number acquitted by 1,765, or 18 per cent.

16. A comparative statement of the district percentages of acquittals during 1891 and 1892 is given below:—

	1891.	1892.
Rae Bareli	72	74
Hardoi	60	67
Unao	72	64
Sultánpur	74	64
Partábgarh	54	61
Sitapur	70	59
Kheri	65	59
Gonda	63	59
Bahraich	70	56
Fyzabad	58	52
Bara Banki	52	51
Lucknow City	56	51
Lucknow	42	45

It will be seen that in four districts the percentage of acquittals was in excess of the provincial average; and that nine districts, *viz.*, Unao, Sultánpur, Sitapur, Kheri, Gonda, Bahraich, Fyzabad, Bara Banki, and Lucknow City, show an improvement on the figures of 1891.

17. The number of persons tried for offences under this heading fell from 291 in 1891 to 289 in 1892, and the percentage of convictions also fell from 19 to 16.

Wrongful restraint and wrongful confinement.

Six districts show percentages above the average, namely, Kheri, 56; Lucknow District, 35; Unao, 22; Gonda, 20; Sultánpur, 18; and Fyzabad, 17. In two districts, namely, Lucknow City and Sitapur, all the persons charged with committing wrongful restraint and wrongful confinement were acquitted or discharged. The percentages in the remaining districts range from 16 in Bara Banki down to 4 in Partábgarh.

There were 3,388 complaints of criminal force and assault in the year under report, being 254 more than in the previous year. Four thousand two hundred and seventy-one persons were tried, of whom

Criminal force and assault.

2,348 or 66 per cent. were acquitted as compared with 70 per cent. in 1891. The district percentages of acquittals for each year are given below :—

	1891.	1892.
Sitapur	73	80
Rae Bareli	78	79
Sultánpur	80	76
Unao	64	74
Lucknow City	81	71
Lucknow	72	68
Partabgarh	66	67
Hardoi	68	66
Gonda	61	59
Bahraich	72	57
Fyzabad	60	54
Kheri	78	56
Bara Banki	44	36

Nine districts, namely Kheri (—22) ; Bahraich (—15) ; Lucknow City (—10) ; Bara Banki (—8) ; Fyzabad (—6) ; Sultánpur and Lucknow (—4 each) ; and Hardoi and Gonda (—2 each), show a decrease in the percentage of persons acquitted. And three districts show an increase, Rai Bareli and Partabgarh, 1 per cent. each and Sitapur, 7 per cent.

Rape.

In 1892 the provincial percentage of persons convicted of rape fell to 43 from 44 in the preceding year. Out of 68 persons tried for offence under this head, 1 died, 30 were discharged, 8 acquitted, and 29 convicted.

Theft.

The large decrease in minor offences against property is a satisfactory feature in the statistics of crime for this year. The number of offences under this head fell from 6,456 in 1891 to 4,811 in the year under report. The percentage of convictions remains almost the same, *viz.* 74. Six districts show a higher percentage than the average, namely, Sitapur, 88 ; Partábgarh, 84 ; Rae Bareli, 80 ; Kheri, 78 ; Hardoi, 77 ; and Lucknow City, 76. The lowest percentage was 65 in Sultanpur.

Robbery and dakaiti.

During the year under report out of 235 persons tried for offences under these headings, 128, or 54 per cent. were convicted as against 44 per cent. in the preceding year. The percentages of convictions obtained in nine districts, namely, Lucknow, 100 ; Bahraich, 82 ; Kheri, 80 ; Gonda, 66 ; Partabgarh, 64 ; Bara Banki, 63 ; Hardoi, 57 ; Fyzabad, 56 ; and Unao, 55, were above the provincial average, which is itself 10 per cent. higher than in 1891.

Receiving stolen property.

The provincial percentage of convictions obtained in 1892 for the offence of receiving stolen property was exactly the same as in the previous year, namely, 73 per cent. Five districts show a higher percentage of convictions than the provincial one, namely, Rae Bareli, 84 ; Partábgarh, 81 ; Bahraich, 79 ; Gonda, 71 ; and Hardoi, 76. The percentages in the remaining districts range from 72 in Fyzabad and Lucknow down to 53 in Sultánpur.

Cheating.

During the year, although out of 365 offences reported no less than 236 were struck off or dismissed by the Magistrate, yet the percentage of convictions was only 30, being 1 per cent. higher than the percentage of 1891. In five districts, namely, Lucknow, 71; Bahraich, 60 ; Bara Banki, 44 ; Lucknow City, 43 ; and Sultánpur, 39, the percentage was higher than the provincial average. In Gonda out of 13 complaints 10 were dismissed ; and, out of the five persons tried, four were discharged and one was acquitted.

Offences relating to documents, trade and property marks.

The number of persons charged with offences relating to documents, trade and property marks, during the year under report fell to 35 from 58 in the preceding year. Of these 35 persons, 9 were discharged, 9 acquitted, and 9 convicted, and 8 were awaiting their trial at end of the year. The percentage of convictions in 1892 was 33 as against 25 in 1891.

There was an increase of 68 offences relating to marriage over the figures of the preceding year. In 1892, 1,510 complaints were made, out of which 632, or 42 per cent., were struck off or dismissed, and out of 1,123 persons tried 400 persons were discharged and 565 were acquitted. Convictions were obtained against 155 persons, or 14 per cent., of the persons tried. Five district percentages exceeded the provincial average, namely, Unao, 20; Partábgarh, 20; Fyzabad, 17; Rae Bareli, 16; and Gonda, 16. In the remaining districts the percentages ranged between 13 in Rae Bareli down to 7 in Bahraich.

Offences relating to marriage

There were 439 complaints of defamation during the year under report, out of which 267 were dismissed by Magistrates. The figures for the preceding year were, 431 complaints made and 263 complaints dismissed. In 1892 no convictions were obtained in Lucknow, city and district, Unao, Sultánpur and Hardoi. Convictions were obtained in Kheri against 25 per cent. of the persons tried; in Partábgarh against 16 per cent.; in Fyzabad against 15 per cent.; in Bara Banki against 9 per cent.; and in Rae Bareli and Bahraich against 6 per cent. each.

Defamation

Compared with the figures of 1891 the number of offences reported under these heads shows a decrease of 41 cases, the figures for the two years being 333 and 292, respectively. Of the 292 offences reported in 1892, 164 were struck off or dismissed as against 166 so disposed of in the preceding year. The percentage of convictions obtained under this heading rose to 17 from 15 in the previous year.

Criminal intimidation and annoyance.

The highest percentages of convictions obtained were Bara Banki, Hardoi and Kheri, 50 each; Gonda, 44; Sultánpur, 30; and Fyzabad, 26; no conviction was obtained in Lucknow district against four persons tried; and in Bahraich against 12 persons tried.

During the year 83 persons were tried for offences against the Arms Act, of whom 54, or 65 per cent., were convicted as against 73 per cent. in 1891. In Kheri, 12 persons were tried of whom eight were convicted, and in Hardoi, 22 were convicted out of 24 persons tried. Convictions were obtained in all the cases tried in Lucknow City (two persons); in Bahraich (five persons); and in Partábgarh (three persons).

Arms and Explosives Acts, XI of 1878 and IV of 1884.

During 1892, the total number of offences reported under the Cantonments Act was 523 as against 499 in the previous year. Out of the 791 persons tried 692, or 88 per cent, were convicted as compared with 749 persons tried and 684, or 91 per cent., convicted in 1891. In Lucknow, 327, and in Fyzabad, 237 persons were tried, being 53 and 49, respectively, less than the figures of 1891. Sitapur shows an increase of 144 persons.

Cantonments Act, III of 1880.

In 1892, out of 463 persons tried for offences under this head, 264 were convicted as against 517 persons tried and 325 convicted in the preceding year. Out of 453 cases tried one case was tried in Bara Banki; and one in Bahraich; and the remainder in Gonda.

Criminal Tribes and Eunuchs Act, XVII of 1871.

Offences under this heading rose from 55 in 1891 to 67 in 1892. Out of 145 persons tried in Bahraich, and 17 tried in Gonda, 124 and 15 persons, respectively, were convicted.

Forest Act, VII of 1878.

Compared with the figures of 1891, the offences under this class show a decrease of 61 cases. There has been a considerable decrease in all districts. The only exceptions are the districts of Sitapur, Fyzabad and Bahraich, where a small increase is observable. The percentage of persons convicted of charges under this head fell from 79 in 1891 to 68 in the year under report. Convictions were obtained against all the persons tried in Lucknow, Unao, Gonda and Partábgarh. Out of 183 persons tried in Lucknow City and 107 tried in Fyzabad, 110 and 92 respectively were convicted, the remainder being acquitted.

Gaming and Lotteries Acts, III of 1867.

Municipal bye-laws.

During 1892 there was an increase of 113 persons tried for offences against Municipal bye-laws as compared with the number so tried in the previous year, but the percentage of convictions remained at practically the same figures as last year (1891), *viz.* 85.

The following table shows the number of persons tried in each district during 1891 and 1892, and percentage of convictions to the number of persons tried in 1892 :—

	Persons tried.		Difference.	Percentage of convictions to persons tried.
	1891.	1892.		
Kheri	18	30	+12	100
Partábgarh	92	224	+132	95
Bahraich	287	261	—26	94
Hardoi	382	413	+31	94
Sultánpur	45	48	+3	92
Gonda	478	889	+411	89
Fyzabad	352	246	—106	83
Lucknow City...	2,011	1,774	—237	82
Sitapur	408	250	—158	81
Rae Bareli	476	476	...	72
Unao	37	35	—2	70
Bara Banki	59	112	+53	61

Nuisances Act, V of 1861.

The total number of persons tried for committing nuisances under Act V of 1861, rose from 3,787 in 1891 to 4,163 in 1892. The provincial percentage of convictions obtained under this heading was about 2 per cent. higher than that of the previous year. A comparative statement showing the number of persons tried in each district during 1891 and 1892, and the percentage of convictions to the number of persons tried in 1892 is given below :—

	Persons tried.		Difference.	Percentage of convictions to persons tried.
	1891.	1892.		
Gonda	32	15	—17	100
Bahraich	48	36	—12	97
Hardoi	260	266	+6	97
Fyzabad	1,385	1,839	+454	96
Sitapur	65	149	+84	96
Lucknow City	571	514	—57	95
Rae Bareli	567	393	—174	94
Unao	248	298	+50	93
Partábgarh	35	122	+87	93
Bara Banki	337	261	—76	92
Kheri	39	118	+79	89
Lucknow	75	41	—34	88
Sultánpur	125	111	—14	88

Compared with the figures of 1891, the number of offences against the Opium laws shows a decrease of 89 cases, the figures for the two years being 251 tried in 1892 as against 340 in 1891. There has been small decreases in all districts under this head. The only exception is the district of Hardoi where a small increase is observable. The percentage of convictions to persons tried has risen from 70 in 1891 to 74 in 1892—a satisfactory improvement.

Opium Acts, XIII of 1857 and I of 1878.

As in 1891 so in 1892 there was an increase as compared with the figures for the preceding year in the number of persons tried under the Railways Act. Convictions have also risen from 80 to 97 and the percentage of convictions to persons tried from 69 to 77 in the year under report. In Lucknow one person was tried, and in Hardoi five, all of whom were convicted. In Fyzabad the percentage of persons convicted to persons tried was 89, in Bahraich 88, in Gonda 75, in Lucknow City, 66; in Bara Banki and Kheri 64 each, and in Sitapur 50.

Railways Act, IV of 1883.

Although there has been a decrease in 1892 in the number of persons tried for breaches of the Stamp law as compared with the figures for the previous year, yet the percentage of convictions during the year has risen very considerably, namely, from 73 in 1891 to 78 in 1892. The highest percentages of convictions were obtained in Hardoi (92); Gonda (91); Lucknow City (84); Sultanpur (82); and Bahraich, Rae Bareli, and Partabgarh (80 each). In the other districts the percentage ranged from 75 in Sitapur down to 25 in Unao.

Stamp Act, I of 1879.

18. Proceedings to prevent a breach of the peace increased by 162 cases; and while the number of persons called upon to furnish security to keep the peace rose from 2,558 in 1891 to 2,768 in 1892, the number of persons actually bound over fell from 1,453 in 1891 to 1,390 in the year under report. The percentage of persons so bound over to those called upon to give security fell about 8 per cent. In seven districts the percentages of persons actually bound over exceed the provincial average. The highest percentage was obtained in Sitapur, and the lowest in Bahraich, the figures being 78 and 31 respectively.

IMPERIAL RETURN No. III. Proceedings under Criminal Procedure Code. Security for keeping the peace

19. There was a considerable decrease in the number of persons called upon to show cause why they should not furnish security to be of good behaviour, and also of those from whom security was actually demanded, as compared with the figures of the preceding year. In the year under report 496 persons were called upon to furnish security and from 343 persons security was actually demanded, the figures for the preceding year being 592 and 411 respectively. The following districts show a decrease in the number of persons called upon to furnish security in 1892 as compared with the figures for the previous year:—Hardoi (—50); Rae Bareli (—30); Bahraich, Gonda (—29 each); Fyzabad (—28); Sitapur (—19), and Bara Banki (—4).

Security for good behaviour.

In the Lucknow City security was actually demanded from 63 persons out of 85 persons called upon, and in Partabgarh 29 persons were ordered to furnish security out of 52 called upon.

The Deputy Commissioner of Hardoi, Colonel Quin, thus accounts for the decrease in his district in proceedings under Chapter VIII of the Criminal Procedure Code.

"There has been a decrease under item 3, both as regards cases and persons "concerned. The number of persons convicted too (44) is less than half what it was last "year, but a very large number (266) of bad characters have been convicted under "Chapter VIII during the past three years, and this has, no doubt, had a deterrent effect "on the badmashes of this district."

The Sessions Judge, Colonel Cowie, notes on the above :—

"This is probably so, but the results of the prosecutions under Chapter VIII have "not been very satisfactory."

The other Deputy Commissioners do not explain the cause of the decrease.

Proceedings against local nuisances.

20. During the year the number of persons involved in proceedings against local nuisances rose from 261 to 366. The number of persons against whom orders were passed directing the abatement of nuisances also increased from 85 to 179. Orders were passed in Lucknow City against all the 73 persons concerned; but against only 54 persons in Bara Banki out of 113 concerned; 31 persons in Hardoi out of 61 concerned; and four persons in Partábgarh out of 59 concerned.

Frivolous or vexatious complaints.

21. There has been some increase in the number of persons called upon to pay compensation to accused persons under section 560, Criminal Procedure Code, during the year under report, the numbers having risen from 388 to 568. The districts which show a marked increase are :—

Fyzabad	... ...	+34	Unao	... ...	+21
Gonda	...	+29	Kheri	... ...	+18
Hardoi	... ...	+27	Bara Banki	... ...	+17
Sultanpur	... ...	+27			

Imperial Return, No IV. Magisterial work.

22. The total number of persons under trial during the year, including those involved in cases pending at the close of the previous year, was 68,525; being 199 more than in 1891. The following table shows how they were disposed of in each year :—

	1891.	1892.
Died, escaped or transferred	293	300
Discharged or acquitted	34,213	30,852
Convicted on regular trial	27,154	25,907
„ summary trial	4,137	3,381
Committed or referred	833	700
Remaining under trial	1,697	1,385
Average duration of each case (days)	7 54	7 36

23. The percentage of persons convicted to the number of persons under trial fell from 45·79 in 1891 to 42 7 in the year under report. The highest and lowest percentages were :—

	Per cent.
Lucknow City	63
Fyzabad	51
Gonda	52
Lucknow	48
Bara Banki	46
Partabgarh	43
Sultanpur	31
Rae Bareli	34
Unao	38
Bahraich	37
Sitapur	38

It will be seen that six districts were above the provincial average.

The highest percentages obtained in Tahsíldárs' Courts were 57 9 in Gonda, and 36 8 in Fyzabad; in Native Assistants' Courts in Lucknow City 78·5, and in European Magistrates' Courts 70·2 in Lucknow, and 63·3 in Fyzabad.

The highest percentages of convictions by Benches of Honorary Magistrates were 94 4 in Bahraich, 74·7 in Fyzabad, and 67·5 in Rae Bareli.

Honorary Magistrates sitting singly obtained 53·07 percentage of convictions in Hardoi, and 49·4 in Lucknow.

Colonel Quin, the Deputy Commissioner of Hardoi, observes :—"The percentage "of my convictions shows badly, because the nine persons sentenced by me to more than "four years' imprisonment, are not shown as convictions but as "referred." The real "percentage of my convictions is ·77.

"There is a falling off of nearly 6 per cent. in the percentage of the district con- "victions this year. I attribute this to the carelessness of the police in sending up cases. "They were practically without a head for eight months of the year under report, and "the results of this are only what might have been expected."

The Sessions Judge remarks on above :—"The falling off is not general in all "Courts. Thus Tahsildars and Honorary Magistrates have done better. The most "noticeable decrease is in "Benches," and "European Assistants' Courts." These fell "from 70 36 and 48 41 to 49·22 and 24·66 respectively. These percentages are mainly "responsible for the decrease in district average which cannot, in my opinion, be attri- "buted to the action of the police."

The Sessions Judge of Fyzabad, Mr. Wyer, writes regarding the decrease in the per- "centage of convictions in the Fyzabad Courts :—"In my opinion it is not satisfactory "that out of 8,046 persons haled before the Courts only 4,262 or only 53·65 should have "been convicted. When the figures are analyzed it will be seen how very little wool is "the result of a very loud cry. Of these 4,262 convicted persons 2,926 were sentenced "to fine under Rs. 10, 168 to fine only; 109 to imprisonment under 15 days, 467 to "imprisonment under six months, and only 185 to imprisonment over six months."

"The first aim of the administration should be to avoid the dragging of innocent "persons before the Courts, and secondly as far as possible, to discourage the resort to "the Courts in trifling cases. I admit that there is a possibility of going too far in the "direction of discouraging recourse to the Criminal Courts, but a judicious mean might "be attained if attention were given to the matter. The present state of things is, in "my opinion, by no means satisfactory." The figures 4,262 and 53·65, should be 4,174, and 51 rsepectively. My colleague and I agree with Mr. Wyer that the Criminal Courts are not sufficiently strict in throwing out groundless or trivial complaints.

24. The average duration of cases was higher in the year under report, in the Courts of Tahsíldárs, European Assistants, Deputy Commissioners, and Benches of Magistrates, and it was lower in the Courts of Honorary Assistant Commissioners and Native Assis- tants, than in 1891.

25. The following comparative table exhibits the amount of work performed by the several classes of magistrates during the years 1891 and 1892 :—

Classes of Courts.	1891.		1892.	
	Number of persons disposed of.	Percentage on total number of persons disposed of.	Number of persons disposed of.	Percentage on total number of persons disposed of.
Unpaid Magistrates sitting singly	6,067	9 1	5,058	7·5
Benches of Magistrates	9,427	14·15	9,220	13·7
Local and Subordinate paid Magistrates ...	16,044	24·08	18,665	24·82
Full Power Magistrates of general jurisdiction. Natives ...	25,624	38·45	24,939	37·1
Full Power Magistrates of general jurisdiction. Europeans ...	7,536	11·31	7,694	11·4
Chief Magistrates of districts	1,393	2·09	1,184	1·7
Deputy Commissioners under Section 30, Act X of 1882.	538	·8	360	·53

Full power Native Magistrates did less work in the year under report than in 1891, while the Local and Subordinate paid Magistrates disposed of a larger portion of criminal work in 1892 than in 1891. The amount of work done by European Magistrates was practically the same as in 1891. The number of cases tried by Deputy Commissioners under their enhanced powers has further fallen off, the figures for the past three years being :—

In 1890	824
,, 1891	538
And in 1892	360

The 41 Honorary Magistrates who sat singly disposed of in 1892, 2,496 cases, involving 5,058 persons, as against 3,241 cases involving 6,067 persons, disposed of by 44 Honorary Assistant Commissioners in the preceding year.

The Honorary Magistrates who disposed of the largest number of cases during the year under report are detailed below :—

	Cases.
Rája Jagmohan Singh	293
Munshi Ali Bukhsh Khán	278
Munshi Inayat-ul-lah Khán	203
Bhaya Rajindra Bahadur Singh	140
Rája Partab Bahadur Singh	122
Munshi Mumtaz Ali Khán	121
Thakur Surat Singh	119
Rae Narain Bali	105
Munshi Muhammad Yasin	100

Besides the above-named Honorary Magistrates, 32 others disposed of Criminal work.

The benches of Honorary Magistrates which decided more than 100 cases each, are mentioned below :—

	Cases.
Lucknow City	2,135
Fyzabad	1,037
Rae Bareli	368
Sitapur	253
Gonda	215
Sandila	186
Bara Banki (Nawabgunj)	174
Lakhimpur	161
Shahabad	105
Balrampur	129

The Deputy Commissioner of Lucknow names the following gentlemen as having been specially regular in their sittings on the Lucknow City bench :—

Lala Bishambar Nath, who attended 143 days during the year, whilst Pandit Suraj Narain and Rai Bahadur Murli Manohar attended 58 days.

The Deputy Commissioner of Hardoi remarks :—"The Honorary Magistrates "sitting singly disposed of a very good amount of work, 4 per cent. more than last "year. Again has Munshi Inayat-ul-lah Khán given most valuable assistance, hav- "ing tried 205 cases against 144 in last year. The value of this gentleman's services "is much enhanced by the fact of his always sitting in Kacheri, so that cases can "be made over to him daily without any delay. Thakur Surat Singh tried 120 cases as "against 102 last year. He works hard and takes interest in his cases, but is decidedly "weak in his procedure. The other Honorary Magistrates have not done much. The "tale of work done by Benches of Magistrates has fallen off, which is not satisfactory." The figures 205 and 120 exclude cases left pending, the numbers actually decided being 203 and 119, respectively.

26. The following statement shows the work disposed of by Deputy Commissioners during the year under report :—

Names of Deputy Commissioners.	Districts.	Period during which charge was held.	Number of cases disposed of.		
			Under their ordinary powers.	Under Sec 34 Criminal Procedure Code.	Under their summary powers.
F. B Muloak	Lucknow ...	Whole year	63	9	2
Colonel E. E Grigg ...	Bara Banki ..	1st January to 18th May, and from 25th August to 30th November.	18	31	1
W. Tudball	Bara Banki ..	19th May to 24th August ...	...	3	...
P. J. White	Bara Banki ..	1st to 31st December ...	...	...	1
Colonel N. M. T. Horsford	Sitapur ..	1st January to 18th March	1	5	..
F. Kilvert	Sitapur ..	19th March to 7th December.	45	25	32
Colonel E E Grigg	Sitapur ..	8th to 31st December ...	2	3	...
„ W. P. Harrison .	Kheri	Whole year ..	78	51	46
„ J. Quin	Hardoi ...	Ditto ...	2	30	...
A. Shakespear	Unao ...	1st January to 15th April, 7th July to 31st December.	2	8	...
C. Hope ...	Unao ...	16th April to 6th July ...	9	...	2
R. E Hamblin	Fyzabad ...	Whole year ...	6	17	2
Colonel Barrow	Gonda ...	1st January to 8th September...	...	6	20
„ G W Anson	Gonda ...	9th September to 2nd October...	...	...	...
„ Barrow ...	Gonda ...	3rd October to 31st December...	...	...	
G. W. Gibson	Bahraich ...	1st January to 9th July, and 12th October to 3rd December.	11	23	14
P. Wyndham ...	Bahraich ...	10th July to 11th October ..	12	8	33
C W. Whish ...	Rae Bareli	1st January to 31st May, 18th July to 10th October.	8	10	11
A. K. Gracey ...	Rae Bareli	1st June to 17th July ...	8	...	...
D. C. Baillie ...	Rae Bareli	11th October to 31st December...	...	...	1
P. J White ...	Sultanpur ...	1st January to 16th May ...	...	4	4
J Penney ...	Sultanpur ...	17th May to 24th September .	13	9	17
W. H. Cobb ..	Sultanpur ...	25th September to 12th November.	5	2	..
F. W Brownrigg ...	Sultanpur ...	13th November to 31st December.	2	2	1
J. Sanders ...	Partabgarh ...	Whole year ..	3	2	1
		Total for 1892 ...	288	248	188
		„ 1891	404	350	136
		Difference ...	−116	−102	+52

During the year under report there was a still further decline in the number of cases disposed of by Deputy Commissioners both under their ordinary and enhanced powers, the former from 404 to 288, and the latter from 350 to 248. The number of cases tried by them summarily has, however, increased from 136 to 188.

The Deputy Commissioners who made most use of the powers vested in them under section 30, Criminal Procedure Code, are Colonel Grigg, Colonel Harrison, Colonel Quin, and Mr. Kilvert, who decided 140 cases out of a total of 248 cases disposed of by all the Deputy Commissioners in the Province.

Colonel Grigg	...	...	34
„ Harrison	...	...	51
„ Quin	...	...	30
Mr. Kilvert	...	...	25
			140

The Deputy Commissioner of Fyzabad writes with regard to the small number of cases decided by him :—

"As regards my own work the reason that it was not more in amount was that I "could not have done more original criminal work without neglecting other work, which "it was incumbent on me to do."

The Deputy Commissioner of Rae Bareli writes :—

"The number of cases tried by the Deputy Commissioner under section 34 has "decreased. At present the Deputy Commissioner is busily engaged in writing the "Census report, and also has the settlement on his hands. He has little time to spare "for trying cases."

The Deputy Commissioner of Sultanpur says :—

"The Deputy Commissioner's tale of cases shows a slight improvement. Section 34 "cases cannot be made to order. I have been in the district over two months and there "has not been one case sent up by the police in this interval that I have been able to try "under this section. I am given to understand that there has been a great clearance of "previous convicts in recent years, and this perhaps explains the pleasurable deficiency."

Pending cases.

27. Five hundred and ninty-four cases remained pending at the close of the year as compared with 657 at the close of the preceding year. The highest number pending was at Hardoi, namely, 69 cases. This however, is an improvement on the number 124 in the previous year. The lowest number pending was at Kheri, 28 cases.

Duration of trial.

28. The average duration of cases in 1892 was 7·36, being somewhat lower than in the preceding year, namely, 7·54. The highest averages were 18·47 in Unao, and 12·43 in Hardoi; and the lowest average 3·76 days at Rae Bareli. The following table exhibits the highest and lowest averages in the different classes of Courts :—

Classes of Courts.	Provincial average.	Lowest average.		Highest average.			
	Days.		*Days.*		*Days.*		*Days.*
Benches of Magistrates ...	4·15	Gonda	1·1	Bara Banki	9·61	Unao	20·
Honorary do. ...	5·53	Hardoi	1·5	Partabgarh	13·81	Lucknow	38
Tahsildárs	6·5	Bahraich	1·8	Do.	11·56	Do	17·73
Native assistants ...	8·93	Kheri	2·37	Hardoi	15·12	Bahraich	13·9
European assistants ...	7·38	Rae Bareli	2·70	Do	15·13	Sitapur	8·05
District Magistrates, ordinary jurisdiction.	7·66	Gonda	3·	Do.	11·41	Lucknow City	31
		Lucknow	3·01	Do	11·31	Gonda	5·85
District Magistrates, powers under section 30, Criminal Procedure Code.	9·18						

Convictions obtained.

29. The percentages of convictions and committals to the total number of persons disposed of in each district during 1891 and 1892 are as follow :—

	1891.	1892.	Difference.
Kheri	30	41·85	+11·85
Lucknow	47·84	48·85	+1·01
Partabgarh	50·06	45·50	−5·46
Sultanpur	39·21	33·37	−5·84
Fyzabad	55·16	53·67	−1·49
Bara Banki	51·7	46·79	−4·91
Gonda	54·06	52·56	−1·50
Rae Bareli	43·12	35·14	−7·98
Sitapur	41·92	37·78	−4·14
Lucknow City	64·38	64·13	−1·25
Hardoi	47·19	41·69	−5·50
Bahraich	44·17	36·99	−7·18
Unao	47·63	38·34	−9·29

Six district percentages are above the provincial average, and two districts show an improvement over the percentage in 1891. On the other hand the percentages of eleven districts show a falling off as compared with the figures of the preceding year. The decrease is very marked as regards Unao (−9·30); Rae Bareli (−7·98); Bahraich (−7·18); Sultanpur (−5·84); Hardoi (−5·50); Partabgarh (−5·46).

30. The percentages of convictions and committals to the number of persons tried by the several classes of Courts during 1891 and 1892 are shown below:—

Classes of Courts.	1891.	1892.	Difference.
Unpaid Magistrates sitting singly	32·53	36·43	+3·90
Benches of Magistrates	63·58	62·60	− ·98
Local and Subordinate paid Magistrates	33·10	30·38	−2·72
Full power Magistrates of general jurisdiction. { Native ...	51·94	47·84	−4·10
{ European ...	53·58	46·60	−6·98
Chief Magistrates of districts...	80·37	76·43	−3·94
Deputy Commissioners under section 34, Criminal Procedure Code.	70·27	74·44	+4·17

The falling off of convictions in the Courts of Tahsildárs, full power Native and European Magistrates and Chief Magistrates of districts is partly attributable to the increase in the number of hurt cases and decrease in the number of theft cases, because hurt is a compoundable offence, and a composition has the effect of an acquittal, and because in compoundable cases the absence of the complainant may bring about the discharge of the accused at any time before the charge is proved. The increase in the Courts of Deputy Commissioners under their enhanced powers is very considerable.

Summary trials.

31. The number of summary trials was 2,954 against 3,467 in the previous year. Out of 2,038 appealable sentences passed in the whole province, only 7 were appealed, and 3 were confirmed. The Lucknow City Bench tried 1,492 cases summarily and passed 1,961 appealable sentences, of which three were appealed and one of those was confirmed. The bulk of the cases tried by the Lucknow Bench were petty cases of nuisance and breach of Municipal bye-law. And this seems to be the reason why so few appeals were made.

References for enhanced punishment.

32. During the year under report references to Deputy Commissioners for enhanced punishments fell to 393 from 635 in 1891. They were thus disposed of:—337 were confirmed, 12 modified, and 42 were reversed.

References of certain cases tried under section 34, Act X of 1882.

33. The number of sentences referred to Sessions Judges by Deputy Commissioners in 1892 was 45, out of which only one was modified, and the remainder were confirmed.

IMPERIAL RETURNS NOS. V AND VA.

Punishments.

34. Fewer persons by 2,109 were punished in the year under report than in 1891, the figures for the two years being 31,817 persons punished in 1892 as against 33,926 in 1891. The detail of punishments awarded is as follows:—

	Number of persons punished.		*Percentage on total number of punishments.*	
	1891.	1892.	1891.	1892.
Transportation	8	...	·23	...
Rigorous imprisonment ...	10,314	9,032	30·40	28·39
Simple „	505	372	1·5	1·17
Forfeiture of property... ...	1	...	...	...
Fine	18,509	19,137	54·56	60·12
Whipping	2,728	1,357	8·04	4·26
Persons ordered to give security ...	1,861	1,919	5·48	6·03

The number of persons sentenced to rigorous imprisonment during the year under report fell from 10,314 to 9,032, being a decrease of 1,282. Sentences of fine rose

from 18,509 to 19,137, showing an increase of 628. Sentences of whipping showed a decrease of 1,371.

Terms of imprisonment.

35. Percentages of terms of imprisonment for 1891 and 1892 are given below —

	1891.	1892.
For fifteen days and under.	21·8	22·3
„ six months	52 8	53·5
„ two years	23 4	25·3
Over „	2 7	2 2

The sentences of imprisonment passed on seven juvenile offenders were commuted to detention in the Reformatory School at Bareilly.

Whipping.

During the year sentences of whipping aggregated 1,357 as against 2,728 in the preceding year, the percentages being as given below :—

	1891.	1892.
10 stripes and under	48 0	48 7
20 „ „	42·3	43 2
30 „ „	8 7	7 9

For offences which would have entailed other punishments on adults, 25 juveniles were whipped in 1892 as compared with 38 in the previous year. The percentage of whippings calculated on all cases in which the offenders might have been punished with whipping was 19 96 as against 19 29 in 1891.

36. In explaining the causes of the decrease in sentences of whipping, several of the Deputy Commissioners have referred with regret to the disinclination of some Subordinate Magistrates invested with the necessary powers to inflict corporal punishment in cases in which this mode of punishment is admittedly the most suitable.

The Deputy Commissioner of Bara Banki remarks :—"This punishment (whipping) "is always held in sentimental dislike by the Native Magistrates; but unexpectedly the "European Assistants' Court too show indifferently. Whipping is a strongly deterrent "punishment and should be freely used in all fitting cases."

37. The Deputy Commissioner of Sitapur complains of the conduct of his Tahsíldar Magistrates who continue to award small terms of imprisonment in preference to submitting cases for sentences of whipping. He writes :—"Tahsíldárs are, however, loath "to send up cases for whipping as they do not appear in the returns as disposed of by them, "but by the officer passing the sentence. In my late district I had some difficulty in "making Tahsíldárs submit cases for whipping and the above reason was urged as the "excuse."

The Deputy Commissioner of Bahraich says:—"Native Magistrates do not "like to sentence to whipping, Honorary Magistrates especially. My efforts are unre-"mitting to conquer this aversion. The decrease is unsatisfactory." My colleague and I think that the suitability of whipping as a punishment depends in great measure on the social position of the offender; and that Magistrates ought not to be enjoined to inflict it indiscriminately.

Persons fined.

38. As compared with the figures of 1891 there was an increase of over 3 per cent. in the number of persons fined, the figures for the two years being 18,509 and 19,135 respectively. As compared with 1891 there was an increase of 408 persons fined "Rs. 10 and under," and of 222 persons fined "Rs. 50 and under," and a decrease of six persons fined "Rs. 500 and under," during the year under report. The Lucknow City Bench fined 2,228 persons in 1892 as against 2,647 in the preceding year.

Fines imposed and realised.

39. During 1892 fines to the amount of Rs. 1,08,756-5-1 were imposed as against Rs. 96,799-0-7 in 1891, being an increase of Rs. 11,957-4 6. The percentage of realisations has, however, fallen from 86 5 in 1891 to 88·3 in the year under report. The district percentages of realisations were :—

Hardoi	97 25
Kheri	96 34
Lucknow	96 13
Sitapur	90 05
Fyzabad	89 46
Sultanpur	89 32
Bahraich	87 30
Unao	86 10
Gonda	85 53
Partabgarh	82 25
Lucknow City	78 87
Bara Banki	67 61
Rae Bareli	64 90

The Lucknow City Bench realised Rs. 1,819-6-11 out of Rs 1,864-14-3 imposed as fines. The realisations were unsatisfactory in Rae Bareli and Bara Banki.

Outstanding fines

40. The aggregate of outstanding fines at the close of 1892 was Rs. 14,170-1-11 as against Rs. 10,507 at the close of 1891 The heaviest outstandings were at Lucknow City (Rs. 4,820-12-10); Rae Bareli (Rs. 2,333-6-3), and Partabgarh (Rs. 2,213-14 3).

Compensation paid.

41. Greater attention was paid towards awarding compensation to injured persons under section 545 of the Criminal Procedure Code, as will appear from the fact that about 20 per cent. of the amount of fines realised in 1892 was awarded in compensation as against 16 per cent. in the preceding year.

Habitual offenders

42. Fewer habitual offenders by 393 were brought to trial in 1892 than in the previous year, when 1,407 such persons were tried. The percentages of persons who had been convicted once before and of those who had been convicted oftener were 63·1 and 36 8 respectively as against 66 3 and 33 6 in the preceding year.

IMPERIAL RETURN No VI
Appeals to Deputy Commissioners

43. The appellate business of the Courts of Deputy Commissioners increased considerably, appeals of 1,503 persons having come before them for disposal as against 1,191 in 1891. Appeals were rejected or sentences confirmed in the cases of 1,001 persons or 66 per cent. The sentences passed on 157 persons or 10 per cent. were reduced or otherwise altered, and on 285 persons or 19 per cent were reversed. Proceedings were quashed in the cases of two persons, and new trial or further enquiries were ordered with regard to 16 persons. The appeals of 42 persons remained pending at the close of the year. The average duration of each appeal was 8 64 days as against 10 25 days in 1891.

Revision and supervision.

44. The number of applications for revision made to Deputy Commissioners was nearly the same as in 1891, 433 such applications having been made by 438 persons. Of the 810 persons concerned in these applications, sentences were confirmed or applications were rejected as regards 588 persons, or 73 per cent.; the sentences were reversed, altered or proceedings quashed with regard to 25 persons; and a new trial or further inquiry was ordered in the cases of 122 persons. The cases of 57 persons were referred to the Judicial Commissioner, and applications of 18 persons remained pending at the close of the year.

45. Deputy Commissioners called up *suo motu* 1,645 cases connected with 2,944 persons as compared with 1,628 cases connected with 2,691 persons in the previous year. Reference was made to the Court of the Judicial Commissioner in 56 cases

involving 109 persons. Colonel Quin of Hardoi called up 363 cases and Colonel Grigg of Bara Banki called up 270 cases. The Deputy Commissioners of Sultanpur and Partabgarh called up 203 and 206 cases, respectively.

Witnesses examined

46. There were in all 99,359 witnesses examined by all the Magisterial Courts during 1892, as compared with 1,08,451 in the preceding year, being a decrease of 9,092. Of these, 93,761 or 94·36 per cent. were discharged on the day on which they attended, and 4,902 or 4·93 per cent. were discharged on the second day of attendance. Only 696 witnesses were detained more than two days. The largest number of witnesses detained over the second day was in Hardoi (142).

Witnesses dieted

47. The proportion of witnesses who received diet money and travelling expenses in the year under report has fallen off about 4 per cent. as will appear from the subjoined comparative statement. The average cost of dieting a witness was ten pies more in 1892 than in 1891.

	Number of witnesses dieted.	*Total cost.* Rs.	*Average cost per witness.* a. p
1891	58,920	27,990	7 5
1892	49,261	24,302	8 3

The variation in the proportion of witnesses who received expenses in different districts is not very marked. Bara Banki Magistrates paid most witnesses, 69 per cent. Rae Bareli with 66 per cent., Baraich with 64 per cent., and Kheri with 63 per cent., show a high percentage. In the remaining districts the percentage ranges between 59 and 32.

48. Under the head of weeding, re-arranging and destroying papers Lucknow, as usual, shows best, 11,219 A files and 2,336 B files having been there dealt with. In Bara Banki, Kheri, Fyzabad and Partabgarh weeding has been completed down to 1891 ; in Hardoi, Unao, Gonda and Rae Bareli down to 1890, and in the remaining districts down to 1889.

Imperial Return No IV. Sessions Courts

49. A comparative statement showing the work of the Sessions Courts during 1891 and 1892 is given below :—

Sessions Courts	Disposed of— 1891. Cases	1891. Persons	1892. Cases	1892. Persons	Pending at the close of 1891 Cases	1891 Persons	1892 Cases	1892 Persons	Average duration of each case from date of commitment. 1891.	1892.
Lucknow ...	103	155	76	131	9	18	45	89	47	46 68
Sitapur ..	59	96	44	63	8	8	13	23	91	53
Hardoi	73	142	56	116	9	14	8	11	57	62 89
Fyzabad ...	34	62	40	82	5	9	6	17	44	30 8
Gonda	85	153	57	85	10	10	10	16	54	45 89
Rae Bareli	77	156	59	85	9	14	24	51	66	53 05

It will be seen from the above that the Sessions Judges disposed of 332 cases involving 562 persons as against 431 cases involving 764 persons in the previous year.

There were 106 cases pending at the close of the year as compared with 50 cases at the close of 1891.

The largest number of pending cases was in the Court of the Sessions Judge at Lucknow. The causes that led to an accumulation of arrears in that Court were explained in the correspondence ending with this office No. 1915, dated 24th December 1892, on the subject of the appointment of an Additional Sessions Judge at Lucknow.

50. In Sitapur three of the pending cases relate to accused persons who are lunatics, and ten cases were committed in November and December, too late for hearing to be fixed before the end of the year.

The Sessions Judge of Rae Bareli makes the following remarks regarding the cases pending in his Court:—

"Of the 24 cases involving 51 persons that were left pending on the 31st December 1892, two cases are of Narain and Kasim Ali, lunatics, which have been shown "pending in accordance with paragraph 10, page 10 of the Judicial Office Manual. The "oldest of the other 22 cases was committed on the 7th September 1892, involving 23 "accused with 123 witnesses. It was fixed for trial by my predecessor in October 1892, "but was postponed by him to the next Sessions to be held in January 1893 and decided "by me on 18th February, the trial having lasted a month."

51. The average duration of trials was very considerably lower in the Courts of the Sessions Judges of Sitapur, Fyzabad, Gonda, and Rae Bareli during 1892 than it was in the preceding year. The duration of trials in the Court of the Sessions Judge of Hardoi, however, rose from 57 days in 1891 to 62 days in the year under report.

IMPERIAL RETURN No. V. Punishments.

52. The subjoined comparative table shows the sentences passed by Sessions Judges during the years 1891 and 1892:—

	1891.	1892.
Death	21	20
Transportation	80	57
Rigorous imprisonment	285	207
Simple „	5	11
Fine	33	17
Whipping	6	4

The total amount of fines imposed during 1892 by Sessions Courts was Rs. 560, out of which Rs. 160, or 28·5 per cent. were realised, and Rs. 120 were awarded as compensation to injured persons. The figures for the preceding year were Rs. 8,093 fines imposed, Rs. 1,239 realised, and Rs. 205 paid as compensation.

IMPERIAL RETURN, No. XIII. Trials by jury and with assessors.

53. During the year under report there were 33 trials by jury in the Lucknow Sessions Court as compared with 46 in the preceding year. In 30 of these cases the judge approved of the verdict of the jury, and in two cases he made a reference under section 263 of the Code of Criminal Procedure to the Judicial Commissioner. Sessions Judges tried 276 cases in 1892 with the aid of assessors and in 210 or 76 per cent. they agreed with the assessors in their findings. In the preceding year 334 cases were so tried, and in 241 of such cases the Sessions Judges agreed with the assessors.

Witnesses examined.

54. Three thousand eight hundred and thirty-four witnesses were examined by Sessions Judges in 1892 as against 4,819 in 1891. Of these, 3,416 received diet money and road expenses. The total amount disbursed as diet money and travelling expenses came to Rs. 6,312-7-6. The average amount paid to each witness was Re. 1-12-11 as against Re. 1-8-7 in 1891, and Re. 1-7-10 in 1890.

IMPERIAL RETURN, No. VI. Appeals.

55. There has been a considerable increase of appellate work in the Courts of Session, the appeals of 3,665 persons having come before Sessions Judges in 1892 as against 3,223 in 1891. The sentences of the lower courts were confirmed or appeals were rejected in the cases of 2,517 persons or a trifle over 68 per cent. The sentences passed on 286 persons were reduced or otherwise altered, and were reversed in the cases of 430 persons. Proceedings were quashed in 12 cases, and a new trial or further inquiry was ordered in the cases of 33 persons. The cases of 384 persons remained pending at the close of the year.

The average duration of each appeal rose from 16·31 in 1891 to 28·06 in the year under report. The highest average duration, 46·63, was in the Sessions Court of Gonda, and the lowest average, 4·77 days, was in that of Hardoi.

Revision.

56. During 1892 the Sessions Judges had before them applications for revision from 653 persons as against 324 persons in 1891, and the persons concerned therein numbered 815 as compared with 484

The applications were rejected or sentences confirmed in the cases of 620 persons, or 76 per cent. Sentences were reduced or otherwise altered in the cases of 13 persons. Sixteen sentences were reversed. New trial or further inquiry was ordered in the cases of 53 persons, and the cases of 49 persons were referred for revision to this Court. Ninety-nine applications remained pending at the close of the year Only the Sessions Judge of Hardoi called up *suo motu* and inspected one case which he referred to the Judicial Commissioner's Court for enhancement of the sentence passed on the accused. No cases were so called up and inspected by the other Sessions Judges during the year under report.

Court of Judicial Commissioner, Oudh.

57. The following table exhibits the number of persons whose cases came before the Judicial Commissioner on appeal, application for revision or otherwise, and were disposed of during the year under report :—

Reports for confirmation of capital sentence	19
Appeals	390
Application for revision by parties	126
References by Sessions Judges and Deputy Commissioners	185
Cases called for *suo motu* by the Judicial Commissioner ...	62

58. The sentence of death was confirmed by the Judicial Commissioner and Additional Judicial Commissioner sitting together, under section 8, of the Oudh Courts Act, 1891, in 14 cases, and in respect of 14 persons. In the case of one person the sentence was modified to one of imprisonment for life. And in the case of another the conviction was altered to one under section 304A., on which a sentence of rigorous imprisonment for one year was passed. Three persons were acquitted.

The office of Judicial Commissioner was held by :—

Mr (now Mr. Justice) Burkitt, from 1st January to 9th November 1892;
„ M. S Howell, LL D, C. I. E, from 10th November to 31st December 1892;

and the office of Additional Judicial Commissioner was held by :—

Mr. M S. Howell, LL D, C. I. E, from 1st January to 9th November 1892;
„ G. T. Spankie, Barrister-at-Law, from 11th November to 31st December 1892.

I have the honor to be,

SIR,

Your most obedient servant,

M. S. HOWELL,
Judicial Commissioner.

IMPERIAL RETURN No. I.—(Civil and Criminal).

Showing the number of Judicial Divisions and the number of Officers exercising original or appellate jurisdiction in the Province of Oudh on the last day of the year 1892, *with the cost of tribunals.*

Name of Province.	Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of Sub districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
						Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts	Judges of Chief Courts of districts.	Judges of District Courts other than Chief Courts.	Judges of other Subordinate Courts.	Original.		Appeals.				
											Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Territory subject to the Judicial Commissioner of Oudh.															Rs.	Rs.	
Civil	23,992 square miles.	1,14,07,625	6 Divisions.	12 Districts.	...	...	...	...	...	...	51,840	21,950	2,365	539	8,35,842	11,95,002	
Criminal						...	...	...	...	...	35,700	2,394	4,401	834			
Revenue (Rent) ...						...	...	...	...	...	...	...	...	...	...	...	
Charges incurred by the Public Works Department on account of buildings.						...	...	...	...	...	...	...	...	...	...	20,302	
Total ...	...	...	...	...	...	2	6	12	89	192	87,540	24,344	6,766	1,373	8,35,842	12,15,304	

Grades of Judicial Officers.		European	Native.
Officers exercising both original and appellate Jurisdiction.	Judicial Commissioners,	2	...
	District and Sessions Judges.	5	1
	Additional Judges ...	...	...
	Subordinate Judges ...	1	11
Officers exercising original Jurisdiction only.	Small Cause Court Judges.	...	1
	Munsifs	...	25

For Home, Revenue and Agricultural Department.

	European.	*Native.*
Judicial Commissioners	2	...
Deputy Commissioners	12	...
District and Sessions Judges	5	1
Subordinate Judges	1	11
Assistant Commissioners	16	1
Assistant Settlement Officers	1	...

	European.	*Native.*
Deputy Collectors	4	54
City Magistrates	1	...
Cantonment Magistrates	2	...
Tahsildárs	...	43
Munsifs	...	25
Judges, Small Cause Court	...	1
Honorary Assistant Commissioners	4	117
Total ...	48	253

IMPERIAL RETURN No. II.—(CRIMINAL).

Statement of offences reported and persons tried, convicted and acquitted of each class of offence in the Province of Oudh in the year 1892.

Description of offence.	Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.	Number of persons— Under trial during the year; including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.	Remarks.
1	2	3	4	5	6	7	8	9	10
Offences against the State, chapter VI of the Indian Penal Code	...	...	...	...	...	...	...	...	
„ relating to the Army and Navy, chapter VII	1	1	1	1	1	...	...	...	
„ against the public tranquillity, chapter VIII	555	376	399	2,489	963	1,298	3	225	
„ by, or relating to public servants, chapter IX	76	43	45	66	26	35	1	4	
Contempts of the lawful authority of public servants, chapter X	717	605	631	1,097	462	606	9	20	
False evidence and offences against the public justice, chapter XI	454	378	397	521	181	302	11	27	
Offences relating to coin and Government stamps, chapter XII	95	83	84	94	34	60	...	...	
„ relating to weights and measures, chapter XIII	40	39	40	65	27	38	...	...	
„ affecting the public health, &c, chapter XIV	283	232	234	378	119	259	...	...	
„ relating to religion, chapter XV	76	36	40	75	43	30	...	2	
Offences affecting the human body, chapter XVI. — Offences affecting life	680	617	678	896	333	455	6	102	
Causing of miscarriage, injury to unborn children, exposure of infants and the concealment of births.	77	64	67	72	22	43	...	7	
Hurt	12,983	8,733	8,897	20,110	16,493	3,193	9	415	
Wrongful restraint and wrongful confinement	333	142	148	294	242	46	1	5	
Criminal force and assault	3,388	1,995	2,034	4,348	3,350	921	...	77	
Kidnapping or forcible abduction, slavery, forced labor and buying or selling a minor for the purpose of prostitution.	185	66	68	130	49	72	...	9	
Rape	105	70	72	79	38	29	1	11	
Unnatural offence	32	26	31	36	18	16	...	2	
Offences against property, chapter XVII. — Theft	6,423	4,822	4,881	6,473	1,675	4,693	18	87	
Extortion	180	42	42	93	81	10	...	2	
Robbery and dacoity	245	115	116	294	106	128	1	59	
Criminal misappropriation of property	93	49	53	72	29	43	...	...	
„ breach of trust	321	191	204	239	100	25	3	11	
Receiving stolen property	1,028	990	990	1,431	381	1,023	4	23	
Cheating	365	129	136	193	127	55	4	7	
Fraudulent deeds and disposition of property	9	4	4	9	5	4	...	...	
Mischief	1,831	998	1,038	2,118	1,651	371	1	95	
Criminal trespass	4,605	3,213	3,302	5,494	2,826	2,498	16	154	
Offences relating to documents and to trade or property marks, chapter XVIII	71	27	30	35	18	9	...	8	
Criminal breach of contracts of service, chapter XIX	12	5	5	22	10	12	...	...	
Offences relating to marriage, chapter XX	1,510	878	903	1,168	965	155	3	45	
Defamation, chapter XXI	439	172	176	306	283	20	...	3	
Criminal intimidation, insult and annoyance, chapter XXII	292	128	132	217	178	37	...	2	
Offences under the Criminal Procedure Code and offences against special and local laws	11,604	10,062	10,174	19,679	6,275	13,002	212	190	
Total	49,108	35,331	36,052	68,594	37,111	29,588	303	1,592	

JUDICIAL STATEMENT

Showing the general result of the trial of European British subjects

Description of offences.	Number of persons accused and brought before a Magistrate.						Died, escaped, or transferred to other Provinces.	Number actually brought to trial.	Persons whose cases were disposed of													
	Remaining at the close of the previous year.	Within the year.							By District Magistrates and other 1st class Magistrates.							By Courts of Sessions.				By High Court.			
		On complaint, section 191 (a), Criminal Procedure Code	On Police report, section 191 (b), Criminal Procedure Code.	By Magistrate *suo motu*, section 191 (c) of the Code.	On transfer from other provinces.	Total.			Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Sessions.	Committed. To High Court.	Transferred by order under section 451 of the Code.	Total omitting entries in columns 10 and 15.	Received by transfer under section 451B of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under section 429 of the Code.	Total exclusive of column 17.	Convicted.	Acquitted or discharged.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Rash driving or riding on a public way, section 279, I. P. C.	...	...	2	...	...	2	...	2	...	1	1	...	...	...	2	...	...	...	...	...	...	...	...
Obscene songs, section 294, I. P. C. ...	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Voluntarily causing hurt and using criminal force otherwise than on grave provocation, sections 323 and 352, Indian Penal Code.	...	14	...	...	...	14	...	14	...	9	5	...	...	...	14	...	...	...	...	...	...	...	...
Voluntarily causing hurt to deter public servant from his duty, section 332, I. P. C.	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...
Rape, section 376, I. P. C.	...	...	3	...	...	3	...	3	...	...	3	...	...	...	3	...	...	...	...	...	...	...	...
Criminal breach of trust, section 406, I. P. C.	...	...	...	...	...	1	1 died.	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...
Cheating and dishonestly inducing a delivery of property, section 420, I. P. C.	...	1	...	...	...	2	...	2	...	1	...	...	1	...	2	...	...	..	...	...	1	..	1
House trespass, section 448 ...	...	2	3	...	...	3	...	3	...	3	...	...	...	...	3	...	...	...	...	...	...	..	...
Enticing or taking away, or detaining with Criminal intent a married woman, section 498, I. P. C.	...	...	...	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...	..	...
Section 34, Act V of 1861	...	1	2	...	...	2	...	2	...	2	...	...	...	...	2	...	...	.	...	...	...	..	...
Act XI of 1878	...	...	...	1	...	1	...	1	...	1	..	...	...	...	1	...	...	...	...	...	...	...	...
Act XIII of 1889	...	...	3	...	...	3	...	3	...	1	2	...	...	...	3	...	.	...	...	...	...	..	...
Act X of 1890	...	...	1	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...	...	
Total ...	...	18	16	1	...	35	1	34	...	20	13	...	1	...	34	...	...	...	...	...	1	..	1

IIA. (CRIMINAL).

in the Courts of the Province of Oudh during the year 1892.

Total for all Courts.				Number of cases.					
Convicted.	Acquitted or discharged.	Total.	Number of persons under trial.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court from order under section 456 of the Code.	Of those entered in column 5. Number who applied under section 21, Act III of 1864, for transfer or committal of their cases.	Number of persons who applied to the High Court under section 529 of the Code for the transfer of their cases
25	26	27	28	29	30	31	32	33	34
1	1	2	...	2	2	...	...	...	...
1	...	1	...	1	1	...	...	...	...
9	5	14	...	10	10	...	...	...	...
1	...	1	...	1	1	...	...	...	...
...	3	3	...	1	1	...	...	...	...
...	...	...	...	...	...	...	...	...	...
2	...	2	...	2	2	...	...	...	...
3	...	3	...	2	2	...	...	...	...
...	1	1	...	1	1	...	...	...	...
2	...	2	...	2	2	...	...	...	...
1	...	1	...	1	1	...	...	...	...
1	2	3	...	3	3	...	...	...	...
...	1	1	...	1	1	...	...	...	..
21	13	34	...	27	27	...	...	...	...

SUBSIDIARY TABLE.

35							36			
Of the total number of persons shown in							Of cases shown in column 30.			
Column 16.			Column 17.		Columns 21 and 22.		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
Number who claimed to be tried by a mixed jury, 451A (1) of the Code.	Number who did not so claim.	Number of those in column 35(1), whose cases were transferred under section 451 of the Code.	Number who claimed a mixed number of assessors, section 451(2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, section 451(1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
1	2	3	4	5	6	7	8	9	10	11
...	...	...	...	...	...	...	27	...	...	...

IMPERIAL RETURN No. III. (CRIMINAL).

Statement of miscellaneous proceedings under the Code of Criminal Procedure in the Province of Oudh, during the year 1892.

Nature of proceedings.	Total number of cases held before the courts during the year.	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.	Remarks.
1	2	3	4	5	6
1. Proceedings against witnesses under chapter VIc, and section 485 of chapter XXXV	2	2	1	1	
2. Proceedings under chapter VIII, to prevent breach of the peace	887	2,768	1,320	1,390	
3. Proceedings under chapter VIII, security for good behaviour...	385	490	143	343	
4. Proceedings against local nuisances, chapter X	221	360	179	183	
5. Possession, chapter XII	71	227	115	107	
6. Frivolous or vexatious complaints summarily dealt with under chapter XX, section 560	532	582	14	568	
7. Non-attendance of jurors or assessors, chapter XXII, section 332	12	12	5	6	
8. Maintenance, chapter XXXVI	692	692	520	153	
9. Forfeiture of bail or recognizance under chapter XLII	68	103	35	59	
Total ...	2,870	5,248	2,332	2,810	

IMPERIAL RETURN No. IV.—(CRIMINAL.)

Statement showing the general result of criminal trials in the tribunals of various classes in the Province of Oudh in the year 1892.

Classes of Courts.	Total number of persons under trial.	Died, escaped, or transferred to another Province.	Persons whose cases were disposed of—				Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
			Discharged or acquitted.	Convicted.		Committed or referred.					
				On regular trial.	On summary trial.						
1	2	3	4	5	6	7	8	9	10	11	12
Unpaid Magistrates sitting singly	5,169	4	3,211	1,833	6	4	111	2,496	5·53	6,852	
Benches of Magistrates	9,295	2	3,446	3,824	1,948	...	75	4,837	4·15	4,475	
Local and Subordinate paid Magistrates	18,973	5	12,987	5,673	...	...	308	8,671	6·5	16,038	
Full power Magistrates of general jurisdiction. Natives	25,655	274	12,744	10,884	522	535	696	14,175	8·93	52,736	
Full power Magistrates of general jurisdiction. Europeans	7,869	11	4,097	2,791	644	151	175	4,280	7·38	13,183	
Chief Magistrates of districts	1,204	1	278	635	261	9	20	488	7·66	2,169	
Deputy Commissioners under section 34, Act X 1882 ...	360	3	89	267	...	1	...	239	9·48	2,054	
Total Magistracy ...	68,525	300	36,852	25,907	3,381	700	1,385	35,186	7·36	97,507	
Sessions Judges	769	3	259	300	...	...	207	332	54·71	3,730	

IMPERIAL RETURN No. V.—(CRIMINAL).

Showing the punishments inflicted by the various criminal tribunals in the Province of Oudh in the year 1892.

Classes of Courts.	Persons sentenced to—								Persons ordered to find or give security or recognizance to keep the peace or securities for good behaviour.	Persons imprisoned in default of security for good behaviour.	Detail of punishment.																		
				Imprisonment.							Fine.									Imprisonment.					Whipping.				
	Death.	Transportation.	Penal servitude.	Rigorous.	Simple.	Forfeiture of property.	Fine.	Whipping.			Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realized during the year.	Amount paid by way of compensation.	15 days and under.	Six months and under.	Two years and under.	Seven years and under.	Above seven years.	Ten stripes.	20 stripes.	30 stripes.	Number of boys whose sentences were commuted to detention in a reformatory school.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
																	Rs. a. p.	Rs. a. p.	Rs. a. p.									
Honorary Magistrates sitting singly.	...	...	...	660	31	...	1,336	108	14	4	1,240	95	1	...	...	...	5,088 4 0	4,595 0 9	680 13 10	258	363	70	...	...	57	33	18	...
Bench Magistrates ...	...	...	...	81	5	...	5,604	...	...	...	5,569	35	...	...	...	...	4,252 1 6	4,114 6 2	300 4 0	34	52	...	...	...	...	...	...	...
Stipendiary Magistrates sitting singly.	...	...	...	7,753	323	...	11,804	1,224	1,571	127	9,998	1,697	81	25	...	...	92,510 10 7	76,956 0 7	10,520 14 8	1,711	4,355	2,009	1	...	560	506	98	4
District Courts—cases decided under section 34, C. P. C.	...	...	...	233	...	...	39	16	...	...	28	11	...	...	3	...	1,612 0 0	1,496 12 9	350 7 6	...	21	69	143	...	1	6	9	...
Chief Magistrates of districts.	...	...	...	305	12	...	352	281	144	89	255	87	9	...	1	...	5,293 5 0	3,575 10 9	2,265 7 6	34	177	93	13	...	157	116	8	3
Total ...	...	...	...	9,032	371	...	19,135	1,629	1,729	220	17,090	1,925	91	25	4	...	108,756 5 1	90,737 15 0	14,117 15 6	2,037	4,968	2,241	157	...	775	721	133	7
Courts of Sessions Judges.	20	57	...	207	11	...	17	4	...	...	10	3	4	...	...	...	560 0 0	160 0 0	20 0 0	6	26	41	124	21	...	2	2	...

IMPERIAL RETURN No. VA —(CRIMINAL).

PART I

Showing whippings inflicted under sections 2 and 3, Act VI, 1864, in lieu of other punishments.

Offences for which awarded.	Number of stripes awarded.												Total.	Remarks.
	5 and under		6 to 10		11 to 15.		16 to 20		21 to 25		26 to 30			
	1st conviction	2nd or subsequent conviction	1st conviction	2nd or subsequent conviction	1st conviction	2nd or subsequent conviction	1st conviction	2nd or subsequent conviction	1st conviction	2nd or subsequent conviction	1st conviction	2nd or subsequent conviction		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
IN LIEU OF OTHER PUNISHMENTS.														
(SECTIONS 2 AND 3, ACT VI, 1864).														
1. Theft as defined in ... Sec. 376, I P. C.	...	...	...	...	...	...	...	...	...	..	...	...	...	
„ 377 „	...	...	...	...	...	...	...	...	...	...	...	..	...	
„ 378 „	72	2	304	18	193	8	77	18	20	3	22	2	741	
„ 380 „	16	1	82	4	48	1	31	4	3	...	6	...	196	
„ 381 „	1	...	12	...	8	...	6	1	1	...	1	1	31	
„ 382 „	...	...	...	...	...	...	...	...	...	...	...	...	...	
2 Extortion as defined in ... „ 388 „	...	...	1	...	...	...	...	...	...	...	...	...	1	
„ 389 „	...	...	...	...	...	...	...	...	...	...	...	...	...	
3. Punishment for robbery ... „ 392 „	..	...	...	...	...	...	...	...	...	...	.	...	...	
4 Dishonest misappropriation of property as defined in „ 403 „ ...	...	...	...	...	...	...	...	...	..	...	..	..	...	
5 Criminal breach of trust as defined in „ 406 „ ...	..	...	...	...	...	...	...	...	...	...	..	...	...	
6 Dishonestly receiving stolen property as defined in „ 411 „ ...	3	...	36	2	36	4	28	4	3	1	7	...	124	
„ 412 „ ...	...	...	...	..	2	...	...	...	...	...	...	...	2	
7 Lurking house-trespass as defined in „ 443 „ ...	1	...	2	..	4	...	3	...	...	...	1	.	11	
8. „ „ „ by night as defined in „ 444 „ ...	2	...	9	...	15	...	11	1	2	...	4	...	44	
„ 454 „ ...	1	...	...	...	...	...	2	...	...	...	...	..	3	
9. House-breaking as defined in ... „ 445 „ ...	5	...	41	..	22	1	21	4	5	...	9	..	108	
10. „ by night as defined in .. „ 446 „ ...	12	...	18	1	25	2	20	1	5	1	3	3	100	
Lurking house-trespass as defined in . „ 448 „ ...		...	...	...	...	...	...	...	...	...	...	.	...	
House-breaking as defined in ... „ 456 „ ...	1	...	1	...	2	3	...	1	...		...	...	8	
Offences under section 457, Indian Penal Code	2	..	5	...	16	4	16	7	6	...	4	...	60	
„ „ Act XXVII, 1871, section 19 ...	1	1	...	..	...	...		...	..	...	.		2	
„ „ Act III, 1880, sections 14 and 325 ..	...	.	...	...	...	...		...	..	..	...	...	..	
„ „ section 193, Indian Penal Code ..	...	...	1	...	...	...	...	...	...	...	...	...	1	
„ „ „ 126, Act IX of 1890 ...	...	..	...	...	...	...	1	...	...	...	..	...	1	
Theft as defined in section 379, Indian Penal Code	...	...	...	...	...		..		...	...	.	...	...	
House-breaking by night as defined in sections 454 and 457, Indian Penal Code.	...	..	.	...	...	..		...	...	...	...	..	...	
Total ..	117	4	512	25	373	23	225	41	45	5	57	6	1,433	

IMPERIAL RETURN No. VA.—(Criminal).

Part II.

Showing whippings inflicted in addition to other punishments, sections 3 and 4, Act VI, 1864.

Offences for which awarded.	Number of stripes.						Total.	Remarks.
	5 and under	6 to 10.	11 to 15.	16 to 20.	21 to 25.	26 to 30.		
1	2	3	4	5	6	7	8	9
IN ADDITION TO OTHER PUNISHMENTS.								
(Sections 3 and 4)								
***A*—*Section* 3.**								
1. Theft as defined in ... ... Sec 378, I.P.C.,	1	6	12	5	1	4	29	
„ 379 „	...	1	1	...		...	2	
„ 380 „	...	6	2	1	1	2	12	
„ 381 „		...	...	1	..	1	2	
„ 382 „	...	...	...	...	...	...	...	
2 Extortion as defined in ... ... „ 388 „	...	...	...	...	...	...	...	
„ 389 „	...	...	...	...	...	...	...	
3. Dishonestly receiving stolen property as defined in ... ... „ 411 „	...	2	1	2	...	2	7	
„ 412 „	...	...	...	...	...	...	...	
4. Lurking house-trespass as defined in ... „ 443 „	..	...	...	...	...	...	...	
5. Lurking house-trespass by night as defined in „ 444 „	...	1	1	4	...	3	9	
6. House breaking as defined in ... „ 445 „	...	...	...	3	...	...	3	
7. House breaking by night as defined in ... „ 446 „	...	...	3	2	...	6	11	
8 Offences under section 14, Act III, 1880	...	...	...	...	...	...	...	
***B*—*Section* 4.**								
1 False evidence as defined in ... ... Sec 193, I.P.C.	...	...	...	...	...	...	...	
„ 194 „	...	...	...	...	...	...	...	
„ 195 „	...	...	...	...	...	...	..	
2 False charge of unnatural offences defined in ... ... „ 211 „	...	...	...	...	...	...	...	
„ 377 „								
3. Assault as defined in ... ... „ 354 „	...	...	...	...	...	...	...	
4 Rape as defined in ... ... „ 375 „	...	...	...	...	...	...	...	
5 Unnatural offences as defined in ... „ 377 „	...	...	...	...	...	...	...	
6 Robbery as defined in ... ... „ 390 „	...	...	...	...	...	...	...	
7. Dakaiti as defined in .. ... „ 391 „	...	...	...	...	...	...	...	
8. Attempt at robbery as defined in ... „ 393 „	...	...	...	...	...	...	...	
9 Hurt in committing robbery as defined in... „ 394 „	...	...	...	1	...	...	1	
10 Receiving stolen property as defined in ... „ 413 „	...	...	...	...	...	...	...	
11 Forgery as defined in ... ... „ 463 „	...	...	...	...	...	...	...	
„ 466 „	...	...	...	...	...	..	...	
„ 467 „	...	...	...	...	...	...	...	
„ 468 „	...	...	...	...	...	...	.	
„ 469 „	...	...	...	...	...	...		
12. Lurking house trespass as defined in „ 443 „	...	...	...	...	...	...	...	
13. „ „ „ by night as defined in „ 444 „	...	...	...	...	...	...	..	
14 Lurking house trespass as defined in ... „ 454 „	...	...	...	...	..	...	...	
15 House breaking by night as defined in ... „ 446 „	...	...	...	...	...	...	...	
Offences under sec 19, Act XXVII, 1870	...	...	...	...	..	2	2	
Offences under sec. 19, Act XXVII, 1871	55	24	10	5	...	1	95	
House-breaking by night as defined in ... Sec. 457, I P.C.	...	...	1	1	...	...	2	
Total ...	56	40	31	25	2	21	175	

IMPERIAL RETURN No. VA.—(CRIMINAL).

PART III.

Showing whippings inflicted under section 5, Act VI, 1864, on juveniles for offences other than those specified in parts I and II.

Offences				Stripes.												Total	Remarks.
				5 & under		6 to 10.		11 to 15.		16 to 20.		21 to 25		26 to 30			
				First conviction.	Subsequent conviction.	First conviction	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction.	Subsequent conviction.	First conviction	Subsequent conviction.	First conviction.	Subsequent conviction.		
1				2	3	4	5	6	7	8	9	10	11	12	13	14	15
Using criminal force to deter a public servant from discharge of his duty	section	353,	I. P. C.,	...	...	1	...	..	...	...	...	...	...	...	...	1	
Punishment for voluntarily causing hurt	„	323	„ ...	...	...	1	...	...	...	...	...	1	...	...	...	2	
Punishment for voluntarily causing grievous hurt	„	325	„ ...	...	...	...	...	...	...	1	...	...	...	...	...	1	
House-trespass after preparation made for causing hurt to any person	„	452	„ ...	...	...	...	...	1	...	...	...	...	...	...	...	1	
Punishment for robbery	„	392	„ ...	...	...	...	...	...	...	1	...	...	..	...	...	1	
Theft	„	378	„ ...	...	1	...	.	. .	...	...	...	...	...	...	...	1	
Theft in a dwelling house	„	380	„ ...	1	...	7	...	...	...	...	...	...	..	...	...	8	
Criminal breach of trust	„	406	„ ...	...	...	...	...	3	...	...	...		...	...	...	3	
Punishment for rape	„	376/511	„ ...	...	...	...	...	1	...	1	..	2	...	...	...	4	
Mischief by fire, etc.	„	436	„ ..	1	...	...	...	1	...	...	...	...	...	...	...	2	
Attempt to commit suicide	„	309	„ ...	...	...	1	...	...	...	...	.	...	...	...	...	1	
	Total		...	2	1	10	...	6	..	3	..	3	...	...	...	25	

IMPERIAL RETURN No. VA.—(CRIMINAL).

PART IV.

Showing relative number of times whipping was awarded as compared with other punishments.

Punishments.	Number.	Remarks.
1	2	3
(1) Total number of whippings awarded ...	1,633	
(2) Total number of other punishments in cases in which whipping might have been awarded.	6,548	
(3) Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	8,181	
(4) Percentage of whippings on total number of all punishments (percentage of heading 1 on heading 3).	19·96	

IMPERIAL RETURN No. VI.—(CRIMINAL).

Showing the result of appeals and revisions in Criminal cases in the Province of Oudh during the year 1892.

Tribunals.	Total number of appellants and applicants before the Courts.	Number of persons.										Average number of days during which each appeal lasted.	Remarks.
		Died, escaped, or transferred to another province.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiries ordered.	Referred for revision to the High Court.	Pending trial.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeals.													
To Chief Magistrates of districts ...	1,503	...	90	911	...	157	285	2	16	...	42	8·64	
To Sessions Courts	3,665	3	945	1,572	...	286	430	12	33	...	384	28·06	
Superior Courts... By persons convicted	401	...	164	182	...	10	29	...	...	...	16	30·82	
Superior Courts... By Government	6	...	...	...	1	...	4	...	...	...	1.	43·3	
Total ...	5,575	3	1,199	2,665	1	453	748	14	49	...	443	22·96	
Revisions.													
By Chief Magistrates of districts ...	99	...	447	141	...	5	15	5	122	57	18	10·42	334 applications by 339 complainants against 711 accused.
By Courts of Sessions	478	...	254	366	...	13	16	5	53	49	79	27·35	157 „ „ 175 „ „ 357 „
By Superior Courts	264	...	77	142	16	37	94	5	2	...	20	19·15	66 „ „ 70 „ „ 129 „
Total ...	841	...	778	649	16	55	125	15	177	106	117	18·02	557 „ „ 584 „ „ 1,197 „

IMPERIAL RETURN No. XIII.—(CRIMINAL).

Statement showing the use of jurors and assessors in the Criminal Courts in the Province of Oudh for the year 1892.

Classes of Courts in which Assessors are employed distinguishing Criminal from Civil Courts.	Established average number of jurors or assessors in each case and prescribed qualification.	Number of cases tried by jury.	Number of cases with assessors.	Jury trials.					Assessors trials.			Remarks.
				Cases in which the Judge approved of the verdict.	Cases in which Judge did not approve of the verdict.		Number of persons of the verdict in respect to whom the Judge disapproved.		Number of cases in which Judges agreed with assessors.	Number of cases in which Judges differred from		
					Wholly.	Partially.	Whose cases he referred under section 263, Criminal Procedure Code.	Whose cases he did not refer under section 263, Criminal Procedure Code.		One assessor.	Both assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Sessions Judge, Lucknow Division	7	33	42	30	2	1	2	1	34	2	6	
Ditto, Sitapur ditto	2	..	44	...	...	...	...	...	28	6	10	
Ditto, Hardoi ditto	2	...	55	...	...	...	...	...	38	3	14	
Ditto, Fyzabad ditto	3	.	27	...	...	...	...	...	22	2	3	
Ditto, Gonda ditto	2	...	57	...	...	...	...	...	47	3	7	
Ditto, Rae Bareli ditto	3	..	51	...	...	...	...	...	41	5	5	
Total ...	19	33	276	30	2	1	2	1	210	21	45	

A.—*Showing in detail for each class the number of persons convicted in* 1892.

Districts.	Offences against the State and relating to the Army and Navy, chapters VI and VII, Indian Penal Code	Offences against the public tranquility, chapter VIII.	Offences by and relating to public servants, chapters IX and X	Offences against public justice and false evidence, chapter XI.	Offences relating to coin, stamps, weights and measures, chapters XII and XIII.	Offences affecting public health, &c., and religion chapters XIV and XV	Offences affecting the human body, chapter XVI.	Offences against property, chapter XVII.	Miscellaneous offences under the Penal Code, chapters XVIII to XXII	Total offences under the Penal Code.	Offences under the Code of Criminal Procedure and under Special laws.	Grand Total.
City Lucknow ...	...	87	22	12	5	69	216	406	22	839	2,337	3,176
District Lucknow ...	...	112	32	22	2	6	324	494	8	1,000	515	1,515
Bara Banki ...	...	194	55	28	10	33	425	782	15	1,542	712	2,254
Sitapur ..	...	104	26	8	17	8	319	550	16	1,048	723	1,771
Kheri ..	...	68	35	17	1	9	259	640	13	1,042	269	1,911
Hardoi ...	..	111	98	23	8	7	713	1,063	16	2,039	1,034	3,073
Unao ...	...	40	12	13	3	24	296	607	13	1,008	464	1,472
Fyzabad ...	...	208	72	31	21	20	430	812	35	1,629	2,571	4,200
Gonda ...	...	45	79	9	10	12	379	814	25	1,373	1,451	2,824
Bahraich ...	...	46	44	58	9	10	300	701	10	1,178	575	1,753
Rae Bareli ...	...	49	36	16	2	19	296	713	19	1,150	887	2,037
Sultánpur ...	...	137	50	37	5	55	343	460	16	1 103	705	1,898
Partábgarh ...	...	97	80	28	5	17	475	908	25	1,635	759	2,394
Total ...	...	1,298	641	302	98	289	4,775	8,950	233	16,586	13,002	29,588

B.—*Showing the number of cases brought to trial during the year, disposed of and pending in the Courts of Sessions and the Courts of Magistrates in* 1892.

Districts	Courts of Sessions			Courts of Magistrates.			Remarks.
	Brought to trial	Disposed of.	Pending.	Brought to trial.	Disposed of.	Pending.	
City Lucknow ...	48	33	15	3,258	3,225	33	
District Lucknow ...	36	24	12	1,759	1,726	33	
Bara Banki ...	37	19	18	2,799	2,725	74	
Sitapur ..	30	24	6	2,509	2,464	45	
Kheri ...	27	20	7	1,827	1,797	30	
Hardoi ...	32	28	4	3,530	3,470	60	
Unao ...	32	28	4	2,141	2,101	40	
Fyzabad .	46	40	6	4,024	3,979	45	
Gonda ...	39	32	7	2,051	2,712	239	
Bahraich .	28	25	3	2,555	2,505	50	
Rae Bareli .	25	18	7	2,910	2,876	34	
Sultánpur ...	22	17	5	2,637	2,596	41	
Partábgarh ...	36	24	12	3,098	3 010	88	
Total ...	438	332	106	36,007	35 186	841	

C.—Showing the number of persons concerned in cases decided under the miscellaneous provisions of the Criminal Procedure Code during the year 1892.

Districts.	Frivolous or vexatious complaints summarily dealt with under chapter XX, section 250	Proceedings against witnesses under chapter VI and section 485 of chapter XXXV	Forfeiture of bail or recognizance under chapter XLII.	Non-attendance of jurors or assessors, chapter XXIII, section 332.	Contempts of Court under chapter XXXV, section 480.	Proceedings under chapter VIII to prevent breach of the peace.	Proceedings under chapter VIII, security for good behaviour.	Proceedings against public nuisance, chapter X.	Possession, chapter XII, and section 522 of chapter XLIII.	Maintenance, XXXVI.	Total of persons.
City Lucknow ...	5	1	3	...	...	57	85	73	2	130	356
District Lucknow ...	23	...	1	5	..	42	22	2	3	48	143
Bara Banki	26	...	2	...	...	358	37	113	5	67	608
Sitapur	36	...	...	1	...	76	17	11	11	50	201
Kheri	25	...	9	...	...	62	38	12	5	32	183
Hardoi	57	..	4	1	...	287	85	61	19	32	545
Unao	35	...	10	...	...	141	18	1	10	24	239
Fyzabad	94	...	10	1	...	300	44	...	3	51	511
Gonda	38	...	19	1	...	235	13	...	9	35	349
Bahraich	21	...	16	...	...	75	38	...	4	54	208
Rae Bareli	23	...	2	3	...	115	10	...	...	57	213
Sultanpur	75	1	12	...	..	701	31	34	66	51	971
Partabgarh	122	...	6	.	...	319	52	59	90	61	700
Total ...	582	2	103	12	...	2,768	496	366	227	692	5,248

D.—Showing the results of trials in the Courts of Sessions in 1892 *(as affecting persons).*

Districts.	Number of persons under trial during the year	Acquitted or discharged.	Convicted.	Referred	Died, escaped, or transferred	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4, and of those whose cases were referred under section 374, Criminal Procedure Code, who were convicted	Remarks.
1	2	3	4	5	6	7	8	
Lucknow City	63	10	31	...	2	20	72	
Lucknow District	71	16	23	..	...	32	58	
Bara Banki	86	29	20	..	...	37	39	
Sitapur	44	13	19	...	..	12	50	
Kheri	42	19	12	...	...	11	35	
Hardoi	72	39	28	..	...	5	41	
Unao	55	22	27	...	...	6	50	
Fyzabad	99	55	27	...	...	17	32	
Gonda	63	21	31	...	...	11	53	
Bahraich	38	11	22	..	...	5	54	
Rae Bareli	32	6	16	...	...	10	72	
Sultanpur	26	5	15	...	...	6	73	
Partabgarh	78	13	29	..	1	35	67	
Total .	769	259	300	...	3	207	51	
Judicial Commissioner's Court, Oudh ..	25	3	16	...	...	6	84	
Grand Total ...	794	262	316	.	3	213	52	

E.—Showing the results of trials in the Courts of Magistrates in 1892 *(as affecting persons).*

Districts.	Number of persons under trial during the year.	Acquitted or discharged.	Convicted.	Committed or referred.	Died, escaped or transferred.	Remaining under trial.	Number per cent. of persons entered in columns 3 and 4 who were convicted.	Remarks.
1	2	3	4	5	6	7	8	9
City Lucknow ...	5,158	1,884	3,176	56	3	39	62	
District Lucknow ...	3,161	1,573	1,441	66	2	79	46	
Bara Banki ...	5,109	2,612	2,254	73	2	168	44	
Sitapur	4,812	2,925	1,740	40	1	106	36	
Kheri	3,290	1,860	1,311	35	3	81	40	
Hardoi	7,604	4,299	3,018	74	3	210	40	
Unao	4,081	2,430	1,472	45	...	84	37	
Fyzabad	8,046	3,676	4,174	89	4	103	52	
Gonda	5,437	2,338	2,771	60	217	51	51	
Bahraich	4,915	2,084	1,753	31	43	104	36	
Rae Bareli	5,793	3,697	1,976	23	...	97	34	
Sultánpur	5,605	3,645	1,808	22	9	121	34	
Partábgarh	5,564	2,929	2,394	86	13	142	44	
Total ...	68,525	36,852	29,288	700	300	1,385	43	

F.—Showing the number of witnesses examined and the number of persons to whom payments were made on account of expenses in Courts of Sessions and Courts of Magistrates in 1892.

Districts.	Number of witnesses examined.				Amount paid as expenses.		Remarks.
	Courts of Sessions.		Magistrates Courts.		Courts of Sessions.	Magistrates Courts.	
	Number of persons to whom payments were made.	Number of witnesses examined.	Number of persons to whom payments were made.	Number of witnesses examined.	Amount paid.	Amount paid.	
					Rs. a. p.	Rs. a. p.	
City Lucknow ...	...	...	2,309	5,724	...	980 7 11	
District Lucknow ...	819	819	2,283	5,837	2,662 10 9	795 0 0	
Bara Banki ...	...	...	6,704	9,616	...	3,609 2 6	
Sitapur	426	510	3,047	5,987	642 8 0	1,612 13 0	
Kheri	...	...	4,425	6,722	...	2,536 8 3	
Hardoi	625	844	3,431	10,527	1,349 0 9	1,581 11 3	
Unao	...	...	2,713	6,974	...	1,225 6 0	
Fyzabad	370	395	3,368	10,114	356 2 0	2,040 10 3	
Gonda	543	603	5,070	8,444	371 10 0	2,466 1 6	
Bahraich	...	...	4,865	7,548	...	2,707 1 6	
Rae Bareli	633	663	3,867	5,438	930 8 0	1,536 5 0	
Sultánpur	...	...	3,743	6,868	...	1,737 6 0	
Partábgarh... ...	...	...	3,436	7,708	...	1,474 0 0	
Total ...	3,416	3,834	49,261	97,507	6,312 7 6	24,302 4 2	

G.—Showing the detention of witnesses in Courts of Sessions and Courts of Magistrates in 1892.

Districts.	Number of witnesses discharged.							
	Courts of Sessions.				Magistrates' Courts.			
	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.	On the 1st day.	On the 2nd day.	On the 3rd day.	After the 3rd day.
City Lucknow	...	...	...	...	6,166	230	94	19
District Lucknow	538	133	50	98	5,881	254	41	21
Bara Banki	...	...	...	...	9,004	592	19	1
Sitapur	342	103	28	37	5,773	171	11	32
Kheri	...	...	...	...	6,167	733	19	...
Hardoi	403	203	102	46	9,639	746	132	10
Unao	...	...	...	...	6,887	157	20	...
Fyzabad	205	45	18	67	9,737	314	48	15
Gonda	487	68	40	8	6,138	339	...	...
Bahraich	...	...	...	...	7,225	295	59	4
Rae Bareli	387	155	56	65	5,370	369	44	7
Sultánpur	...	...	...	...	6,688	166	5	9
Partábgarh	...	...	...	...	7,086	536	8	78
Total ...	2,512	707	294	321	93,761	4,902	500	196

H.—Showing the total amount of fines imposed in the exercise of original jurisdiction by the Criminal Courts in 1892, *the amount realized, and the amount paid by way of compensation.*

Districts.	Courts of Sessions.			Magistrates' Courts.			Remarks.
	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
City Lucknow	...	...	...	6,027	4,755	689	
District Lucknow	90	60	...	4,626	4,447	503	
Bara Banki	...	...	...	11,080	7,458	2,081	
Sitapur	20	...	...	4,559	4,132	730	
Kheri	...	...	...	5,971	5,153	1,339	
Hardoi	...	...	...	7,794	7,581	1,480	
Unao	...	...	...	6,102	5,255	676	
Fyzabad	15	15	...	13,151	11,747	715	
Gonda	250	...	...	8,989	7,688	519	
Bahraich	...	...	...	10,592	8,728	1,481	
Rae Bareli	185	85	20	7,283	4,689	962	
Sultánpur	...	...	...	7,446	6,571	595	
Partábgarh	...	...	...	15,237	12,534	2,398	
Total .	560	160	20	1,08,757	90,738	14,118	

I.—Showing the number of appeals (cases) preferred, disposed of, and pending in the Courts of Sessions Judges and of District Magistrates in 1892.

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	
City Lucknow	124	17	91	17	30	...	
District Lucknow	150	35	121	34	29	1	
Bara Banki	362	80	259	80	103	...	
Sitapur	341	113	315	111	26	2	
Kheri	299	62	272	59	27	3	
Hardoi	326	159	322	159	4	...	
Unao	171	50	167	50	4	...	
Fyzabad	149	85	135	84	14	1	
Gonda	482	99	434	98	48	1	
Bahraich	315	103	279	87	36	16	
Rae Bareli	104	95	102	95	2	...	
Sultánpur	149	73	139	71	10	2	
Partábgarh	275	56	274	56	1	...	
Total ...	3,247	1,027	2,913	1,001	334	26	

J.—Showing the number of applications for revision (cases) preferred, disposed of, and pending in the Courts of Sessions and of District Magistrates in 1892.

Districts.	Preferred.		Disposed of.		Pending.		Remarks.
	Courts of Sessions	Courts of District Magistrates.	Courts of Sessions	Courts of District Magistrates.	Courts of Sessions.	Courts of District Magistrates.	
City Lucknow	12	...	11	...	1	...	
District Lucknow	27	9	25	9	2	...	
Bara Banki	22	36	18	33	4	3	
Sitapur	30	14	26	13	4	1	
Kheri	16	27	15	27	1	...	
Hardoi	18	31	17	31	1	..	
Unao	7	41	7	41	...	...	
Fyzabad	82	43	75	42	7	1	
Gonda	66	33	63	33	3	...	
Bahraich	23	51	18	51	5	...	
Rae Bareli	16	10	16	10	...	..	
Sultánpur	23	53	22	50	1	3	
Partábgarh	46	34	44	34	2	...	
Total ...	388	382	357	374	31	8	

K.—Showing the number of persons whose cases came before the Courts of Sessions Judges and of District Magistrates on appeal or application for revision, with the result as affecting the orders of the Lower Courts in 1892.

Districts.	Appeals.				Applications for revision.			Remarks.
	Number of persons who appealed.	Ratio per cent. of persons appealing to persons in respect of whom appealable orders were passed.	Number of applicants in whose cases (1) appeals or applications were rejected and (2) sentences or orders were confirmed	Ratio per cent of affirmed to decided	Number of applicants (accused person) for revision.	Number of accused persons in whose cases applications for revision were rejected or orders were confirmed.	Ratio per cent of rejected to disposed of.	
City Lucknow ...	159	50·	105	54·	6	18	100·	
District Lucknow ...	245	20·	177	66·	25	41	82·	
Bara Banki	508	23	288	61·	34	58	70·	
Sitapur	553	33·	403	61·	59	65	82·	
Kheri	384	40·	261	44·	24	73	91·	
Hardoi	593	23·	495	52·	17	111	80·	
Unao	277	25·	176	23·	6	42	71·	
Fyzabad	391	10·	233	58·	93	204	77·	
Gonda	632	26·	448	50·	67	201	87·	
Bahraich	496	33·	301	59	52	84	56·	
Rae Bareli	264	14·	181	47·	26	42	84·	
Sultánpur	280	21·	194	50·	75	148	69·	
Partábgarh	386	28·	256	35·	93	121	86·	
Total ...	5,108	21·	3,518	52·	577	1,208	78·	

L.—Showing the number of appeals and applications for revision (cases) preferred, disposed of, and pending in the High Court in 1892.

Districts.	Appeals			Applications for revision			Remarks
	Preferred.	Disposed of.	Pending.	Preferred.	Disposed of.	Pending.	
Lucknow	26	26	...	18	17	1	
Bara Banki	22	22	...	8	7	1	
Sitapur	106	104	2	4	3	1	
Kheri	46	44	2	5	1	4	
Hardoi	29	28	1	5	5	...	
Unao	24	22	2	6	6	...	
Fyzabad	14	11	3	8	8	...	
Gonda.	39	36	3	7	7	...	
Bahraich	18	17	1	1	1	...	
Rare Bareli	3	3	...	1	1	...	
Sultánpur	7	7	...	2	2	...	
Partábgarh	12	11	1	7	6	1	
Total ...	346	331	15	72	64	8	

M.—Showing the result as affecting persons, of appeal and revision in the High Court of Oudh in 1892.

Sessions divisions	Appeals.						Applications for revision.					
	Rejected	Sentence affirmed	Sentence reversed	Sentence varied	Further enquiry ordered.	Otherwise disposed of	Rejected	Order affirmed	Orders reversed.	Orders varied	Further enquiry ordered	Otherwise disposed of.
Lucknow ...	14	14	1	2	...	...	22	2	...	12	...	...
Bara Banki ...	8	23	3	...	...	...	3	2	10	..	...	...
Sitapur ...	92	14	1	1	...	...	3	2	1	...	...	...
Kheri ...	30	21	4	2	...	...	...	...	1	...	...	...
Hardoi ..	2	24	5	2	...	...	9	1	...	..	...	...
Unao ...	1	19	4	2	...	..	11	...	...	...	...	...
Fyzabad ...	4	6	5	...	...	...	7	3	...	...	...	...
Gonda ...	12	25	6	...	...	...	10	4	1	...	...	...
Bahraich ...	3	15	2	1	...	...	1	...	...	..	...	...
Rae Bareli ...	...	5	...	...	...	...	...	7	...	...	...	...
Sultánpur ...	1	5	...	1	...	...	2	...	..	...	...	...
Partábgarh ...	1	11	2	...	..	...	9	1	1	1	...,	...
Total ...	164	182	33	11	..	...	77	22	14	13	...	...

N.—Criminal business coming on before the High Court of Oudh in 1892.

Description of cases.	Remaining from 1891	Filed in 1892	Disposed of in 1892.	Remaining at the close of 1892.	Remarks.
ORIGINAL BUSINESS.					
Nil.					
APPEALS.					
By persons concerned — From the orders of Deputy Commissioners acting under section 34 of the Code of Criminal Procedure.	8	42	45	...	
By persons concerned — Sessions Judges	39	300	325	14	
By the Local Government. — From the judgment of acquittal of all Courts... ...	...	4	3	1	
Total ...	42	346	373	15	
REFERENCES.					
Cases in which sentence of death passed by Sessions Judges was referred for confirmation under section 374 of the Code of Criminal Procedure.	4	20	18	6	
Cases in which proceedings held against persons who could not understand them were referred for orders under section 341 of the Code of Criminal Procedure.	...	...	...	...	
Total ...	4	20	18	6	
REVISIONS.					
Cases referred for revision by District Magistrates and Sessions Judges under section 438 of the Code of Criminal Procedure..	8	98	100	6	
Cases dealt with by the Court—					
(1) Cases decided by Magistrates	3	30	30	3	
(2) ditto by Sessions Judges	4	77	74	7	
Total ...	15	205	204	16	
Full Bench References ..	..	...	...	...	
GRAND TOTAL ..	61	571	595	37	

ORDERS OF GOVERNMENT.

No. $\frac{2940}{\text{VI}-2670}$ OF 1893.

FROM

W. H. L. IMPEY, ESQ.,

OFFG. SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH,

To

THE JUDICIAL COMMISSIONER OF OUDH.

DATED NAINI TAL, THE 25TH OCTOBER 1893.

SIR,

JUDICIAL DEPT. (CRIMINAL).

I AM directed to acknowledge the receipt of your letter No. 1414, dated 24th August 1893, being the report on the administration of criminal justice in Oudh during the year ending on 31st December 1892. The report, which is due on the 15th August, did not reach the Government till the 30th September.

2. The business before the Criminal Courts during the year, as compared with that of 1891, is summarised in the following table:—

	Offences reported.	Struck off and dismissed	Returned as true (column 1 minus column 2).	Brought to trial.	Disposed of.	Pending at close of the year.
	1	2	3	4	5	6
1891 ...	51,640	14,170	37,470	38,182	37,686	496
1892 ...	49,108	13,777	35,331	36,052	35,518	534

The decrease in crime, which was partly due to the favourable harvests and partly to the unfortunate prevalence of cholera, was general, only four districts showing an increase (Partábgarh, Hardoi, Sultánpur and Unao): in Partábgarh the increase, which is large, is attributed to a rise in the prosecutions for breaches of municipal sanitary rules and of the excise law. The Lieutenant-Governor and Chief Commissioner regrets to observe from the account of the action taken under section 203, Criminal Procedure Code, as to the dismissal of complaints that the injudicious issue of processes in cases where there was apparently no sufficient ground for proceeding is still very noticeable in some districts. Though there is a substantial rise in the number of persons compensated under section 560 of the Code, it is impossible to believe that all the 36,543 persons who are shown to have been discharged or acquitted without

being compensated were in fact not deserving of compensation. The necessity for the judicious exercise of the powers conferred by sections 202, 203 and 560 requires to be constantly kept before subordinate Magistrates: you are of opinion that the Courts are not sufficiently strict in throwing out groundless or trivial complaints, and the Lieutenant-Governor and Chief Commissioner trusts that you will take steps to ensure that the procedure of subordinate Magistrates in this respect is more strictly supervised by Magistrates of Districts.

3. The results of prosecutions of persons are set forth below :—

		Under trial.	Convicted.	Percentage of persons convicted to persons whose cases were disposed of.	Remaining under trial at close of year
1891	Courts of Magistrates ...	68,327	31,291	47 7	1,697
	Courts of Session	837	402	53·0	73
	Total ...	69,164	31,693	47 8	1,770
1892	Courts of Magistrates ...	68,525	29,288	44 2	1,385
	Courts of Session	769	300	53 6	207
	Total ...	69,294	29,588	44 3	1,592

The figures relating to decisions again compare unfavourably with those of the North-Western Provinces, where the percentage of persons convicted to persons whose cases were disposed of amounted to 50·5 per cent. in 1892; in Courts of Magistrates 50 3 per cent., and in Courts of Session 61·4 per cent. I am to say that the small percentage of convictions in Oudh is very unsatisfactory, representing as it does the needless harassment of innocent persons, the prosecution of the guilty on insufficient evidence, or the inability of the Courts to estimate the real value of the proof adduced. The falling off in convictions was commented on in the review of last year's report, and the Lieutenant-Governor and Chief Commissioner regrets that a matter so seriously affecting the efficiency of the Magistrates is again forced upon his attention.

In the case of the serious crimes of robbery, dakáiti and offences against public tranquillity the percentage of convictions increased; but, on the other hand, it declined from 59 5 to 57 7 in the case of offences affecting life. The record of murder trials is a curious commentary on the lamentable impunity with which life can be taken in the Province of Oudh; in Lucknow five persons out of thirty-five charged with murder were convicted, in Hardoi 26 out of 51, in Gonda 11 out of 21, and in Rae Bareli 7 out of 13. In Bara Banki, Kheri Hardoi and Fyzabad the acquittals by Sessions Judges exceeded the convictions, the percentage of persons convicted amounting to 39, 35, 41 and 32 respectively.

4. Owing to the different kinds of cases tried by Magistrates of the various classes, the percentage of convictions varies greatly in the several grades of Courts: it stands as follows:—

	Percentage of persons convicted to persons whose cases were disposed of by the Courts.	*Proportion of total number of persons disposed of.*
Honorary Magistrates sitting singly ...	36·4	7·5 per cent.
Benches of Magistrates ...	62·6	13·7 „
Local and subordinate paid Magistrates,	30·4	24·8 „
Full-power Magistrates of general jurisdiction. { Natives ...	51·2	37·1 „
Europeans	45·5	11·4 „
Magistrates of Districts ...	76·0	2·2 „

The Courts of subordinate paid Magistrates of the 2nd and 3rd classes, who are responsible for the trial of petty offences, show an extremely bad return: it seems scarcely advisable to maintain tribunals for the disposal of a very large portion of the criminal work of the Province, if they serve rather for the harassing of persons, who are presumably innocent, than for the punishment of wrongdoers. Though Honorary Magistrates sitting singly are little better than the Tahsíldárs, as Benches (where however nuisance cases which generally end in conviction are chiefly tried), they show more satisfactory results. The administration of justice was substantially assisted by the Honorary Magistrates, and the acknowledgments of the Government are due to the gentlemen and Benches mentioned in paragraph 25 of the report.

The Lieutenant-Governor and Chief Commissioner would have been glad of some explanation of the difference in the results of trials by European first class Magistrates as compared with Natives. When a large proportion of cases result in the acquittal of the accused, it is manifest that the administration of justice is either in fault or is abused. It is satisfactory therefore to note that the Native Magistrates, who dispose of the largest proportion of the criminal cases, have on the whole a fairly high percentage of convictions. The low percentage of convictions by European Magistrates in Hardoi (24·6), Gonda (27·5), Rae Bareli (27·3), and Partabgarh (35·1) is very noticeable: in Gonda the fall in 1892 is attributed to the inconsiderate action of a junior Assistant Magistrate, who should have been watched and controlled by his superior, in admitting frivolous complaints, but in the case of the other districts no sufficient explanation is given. In Sitapur (32·9), Fyzabad (42·6), Rae Bareli (40·0), and Sultánpur (40·6) the proportion of convictions by Native full-power Magistrates is comparatively low. In Unao the district average of convictions has fallen in two years from 55 to 38, which is, as the Judge remarks, a very unsatisfactory result. In Sultánpur, Rae Bareli, Sitapur and Bahraich the district percentage is also remarkably low.

Sir Charles Crosthwaite notices with approval that Colonels Grigg, Harrison and Quin and Mr. Kilvert undertook original criminal work to a considerable extent: there appears to be no sufficient reason for the small number of cases tried by the Deputy Commissioner of Gonda (6).

That officer, it is true, examined the files of a number of cases tried by his subordinates, but not more than were examined in other districts, in which the Deputy Commissioners took a larger share in the trial of cases.

5. With regard to the punishments awarded during the year, the proportion of sentences of transportation, solitary confinement, rigorous imprisonment and especially whipping decreased, while that of sentences of fine increased. Together with the reduction in sentences of whipping, the references to superior Courts for enhanced punishment under section 349 of the Criminal Procedure Code fell off to a very considerable extent. From nearly every district complaint is made by the Deputy Commissioner or Judge of the disinclination of Native Magistrates to impose sentences of whipping, or to refer offenders to higher authority for the infliction of this punishment in cases where it would be admittedly suitable. I am to say that it is the duty of Deputy Commissioners to overcome this repugnance, not only by issuing specific orders on the subject, which is reported to have been already done in several districts, but also by taking steps to ensure that orders are obeyed. In Hardoi and Gonda direct disregard of orders by certain Native Magistrates is complained of by the Deputy Commissioner. I am to remind you that disobedience to orders, if continuous and wilful, should be invariably reported to the Government. The Lieutenant-Governor and Chief Commissioner agrees with you in thinking that the suitability of whipping as a punishment depends on the social position of the offender, and that Magistrates ought not to be enjoined to inflict it indiscriminately. But there is nothing to show that the defaulting Magistrates were actuated by reasons of this nature, nor is there any reason to suppose that the petty thief in Oudh enjoys a social position which renders flogging an unsuitable punishment for his offence.

Judging from the punishments inflicted, it would seem that the offences committed in Oudh are of a very trivial character: if this were the case, which it is unfortunately impossible to assume to the extent indicated, there would be no reason for commenting on the leniency of the punishments. The statistics submitted to the Government do not furnish material for comparing the punishments awarded by the different Courts for different offences, and for judging of the adequacy of the sentences inflicted by individual officers. Thus the sentences awarded by the different Courts for the offences of false evidence, grievous hurt, rioting, cattle-theft and burglary, which have been found in some instances to be insufficiently punished in the North-Western Provinces, cannot be ascertained: the examination of the returns and the control of the Courts in this respect must be left to you. During 1892 the proportion of persons punished with fine rose to 60·12 per cent. of the total: out of 19,135 persons fined by Magistrates, in 17,090 cases the fine amounted to Rs. 10 and under, while of 1,629 offenders whipped 775 received ten stripes and under. In the whole Province 124 persons were fined over Rs. 50 each, 135 persons received the maximum number of stripes, and 2,584 were imprisoned for more than six months each. The remarks of Mr. Wyer, Sessions Judge of Fyzabad, regarding the

trivial results of the procedure of the Courts within his jurisdiction are applicable to the whole Province, and the Lieutenant-Governor and Chief Commissioner regrets to be forced to the conclusion that the method of administration of justice in Oudh is not creditable to the officials concerned. The machinery of the Courts seems to be used chiefly with a view to securing the hearing and decision of petty disputes, rather than for the punishment of crime, the majority of cases in most districts being instituted by summons. In the Sultánpur District for instance no less than 72·7 per cent. of the persons brought to trial were summoned to answer charges made against them. From one cause or another the majority of accused persons were acquitted or discharged by the Oudh Magistrates, and to the small proportion convicted the minimum of punishment was awarded. At the same time serious crimes are of frequent occurrence: they would seem, judging from the statistics above quoted, to be ineffectually dealt with by the Courts. It is observed that 93 previously convicted offenders each received as a punishment 20 stripes or less: the orders regarding the severe treatment of habitual offenders are said to have been regarded by the Judges, but two such offenders were sentenced by the Judge of Sitapur to imprisonment for a few months without any explanation being accorded.

The case of Munnu in the Sitapur District deserves mention: this man was sentenced in May 1884 to seven years' imprisonment for administering poison: after his release eight corpses were found in different places in the district, Munnu being suspected of the murders. In two of these cases only sufficient proof was obtainable, and he was sentenced by the Judge to 14 years' imprisonment. The Magistrate remarks that it is a pity Munnu was not hanged, and suggests the necessity of strict police supervision over poisoners on their release. In the case of a secret crime like poisoning police supervision can scarcely be effective, and the remedy lies in the award of adequate and deterrent punishments. If professional poisoners were transported instead of being imprisoned for a term in Indian jails, the victims of their nefarious trade would be less numerous.

6. In paragraph 28 of your report you refer to the duration of trials and quote the highest and lowest averages in the different classes of Courts. The Hardoi District shows badly in this respect: the Judge points out that adjournments are too readily granted and the Deputy Commissioner has issued necessary orders on the subject, which requires attention in other districts as well. The charges on account of payment of expenses of witnesses are still very high in Oudh, the proportion which receives payment in Magistrates' Courts amounting to 50·5 per cent., and the average payment to eight annas three pies for each witness as compared with 26·5 per cent. and six annas ten pies respectively in the North-Western Provinces. The Deputy Commissioner of Bara Banki maintains that the payment in his district of eight annas six pies on the average to 69 per cent. of the witnesses is fully justified, a matter upon which you offer no remark, but which requires examination. In Rae Bareli, Khori and Bahraich also the charges were

apparently extravagant. It is not known why the expenditure in Oudh should be so much more in proportion than in the North-Western Provinces.

7. Your particular attention was drawn last year to the fact that the work of the new Sessions Judges in Oudh compared unfavourably with that of their predecessors and with that of the same tribunals in the North-Western Provinces. The remarks made in the preceding paragraphs as well as the statistics quoted below relating to the work of the appellate Courts show that there has been little improvement, and in some respects deterioration :—

	Number of accused in whose cases appeal was made or revision applied for.		Number whose sentences were upheld.		Percentage whose sentences were upheld.		Duration of proceedings in days.	
Appeals.	1891.	1892.	1891.	1892.	1891.	1892.	1891.	1892.
To District Magistrates ...	1,191	1,503	773	1,001	64	66	10	8
„ Sessions Courts ...	3,223	3,665	2,405	2,517	74	68	27	28
„ Judicial Commissioner ...	331	407	215	347	64	85	32	30
Total ...	4,745	5,575	3,393	3,865	71	69	24	22
Revision.								
By District Magistrate ...	951	810	760	588	80	72	9	10
„ Sessions Courts ...	484	835	365	620	75	74	23	27
„ Judicial Commissioner ...	396	393	279	235	70	59	22	19
Total ...	1,831	2,038	1,404	1,443	76	70	16	18

In spite of the considerable decrease in crime and in criminal trials, the appellate and revisional work increased to a very large extent, especially in Courts of Session. In Lucknow city, Sitapur, Kheri and Bahraich the proportion of persons appealing to Courts of Sessions Judges and District Magistrates was high, amounting to 50, 33, 40 and 33 per cent. respectively of those in respect of whom appealable sentences were passed: in Unao only 23 per cent. of the orders appealed against were affirmed, and in Partábgarh 35 per cent. The proportion of persons appealing in Oudh in 1892 amounted on the average to 21 per cent. and the ratio of sentences affirmed to 52 per cent. as compared with 23 and 69 per cent. in the North-Western Provinces and 18 and 40 per cent. in Oudh in 1891. In the case of revisions the ratio of rejections in Courts of Magistrates and Sessions Judges fell from 81 per cent. in 1891 to 78 per cent. in 1892: in Bahraich the ratio was remarkably low—56 per cent.

8. The net result of the working of the Courts in Oudh may be thus summarised: of the offences originally reported 28 per cent. were struck off or dismissed: as regards the remainder, of the persons whose cases were disposed of during the year 44 per cent. were convicted by the Courts of original jurisdiction, but of these about 6 per cent. on applying to the superior Courts obtained a revision of their

sentences. The convictions therefore may be estimated at 38 per cent. The Lieutenant-Governor and Chief Commissioner has had recently (G. O. No. $\frac{2645}{VI-311B}$, dated 19th September 1893) to call attention to certain defects in the procedure of subordinate Magistrates, of which several are also commented on in the report under review: these defects are noticed year after year without being satisfactorily remedied, and are due in great part to the insufficient instruction and control of their subordinates by Magistrates of Districts, who seem to think it sufficient to put on record a general complaint at the close of the year, and who have no excuse for neglecting this most important duty as they certainly do not overburden themselves with original trials. Your special attention has been requested to those orders, which the Lieutenant-Governor and Chief Commissioner trusts will effect an improvement in the conduct of criminal trials. Much attention has been paid during the last few years to the procedure of the police, and many reforms have been introduced, having for their end improvements in the machinery for the detection and punishment of criminals and the better prosecution of cases in the Criminal Courts: in connection with these measures the attainment of increased efficiency in the Courts themselves, where the failure of justice often lies, has been recognised as essential.

The administration of criminal justice in Oudh is distinctly faulty and bad in many points, and very close and careful supervision on your part of the working of the Judges and Magistrates is necessary in order to remove this reproach. A thorough examination by you on the spot of the work of the Criminal Courts of a district would, in Sir Charles Crosthwaite's opinion, be most advantageous; and His Honor hopes that it may be found possible, now that you have the assistance of a colleague, for you to undertake such inspections in future. Such inspections are made annually by the Judicial Commissioner in the Central Provinces, and ought certainly to be made in Oudh, where they are much needed for the instruction and improvement of the Magistracy.

You have been separately addressed with reference to certain discrepancies noticed in the figures quoted in your report.

I have the honor to be,

SIR,

Your most obedient servant,

W. H. L. IMPEY,

Offg. Secy. to Govt., N.-W. P. and Oudh.